

0549

BOX:

502

FOLDER:

4579

DESCRIPTION:

Mack, Louis

DATE:

11/29/92



4579

0550

BOX:

502

FOLDER:

4579

DESCRIPTION:

Clark, John

DATE:

11/29/92



4579

Witnesses:

Mario Sulkan
Off. Greer 11th

Counsel,

Filed

May of

189

Pleads,

THE PEOPLE

18-73-11 vs.

Emis. Mack

vs.

John Clark

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Poulson

Foreman.

Part 3. Dec. 8th 97
Both tried and convicted
Each for bond.

Burglary in the Third Degree.
[Section 498, Penal Code.]

0551

0552

Police Court—3rd District.City and County { ss.:
of New York,

of No. 15 Forsyth Street, aged 36 years,
 occupation Liquor dealer being duly sworn
 deposes and says, that the premises No 15 Forsyth Street, 10th Ward
 in the City and County aforesaid the said being a dwelling house
 and which was occupied by deponent as a liquor store ^{as} dwelling
 and in which there was at the time a ~~dwelling house~~

attempted to be
 were BURGLARIOUSLY entered by means of forcibly breaking the
 door leading to the store

on the 23rd day of November 1897 in the night time, and the
 following property feloniously taken, stolen, and carried away, viz:

with intent to commit some
 crime therein

~~the property of~~

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
 BURGLARY was ~~committed with the intent aforesaid~~ attempted with the intent aforesaid

Louis Mack and John Clark (both
 now here)

for the reasons following, to wit: that at about the hour
 of one o'clock a.m. deponent securely
 locked and fastened the doors and
 windows leading to said saloon and
 retired to sleep in his apartments
 above the saloon. Deponent subsequently
 found said door broken and the
 fastenings broken and deponent is
 informed by Cornelius F. Casey

0553

now here) a police officer, that at about
 the hour of three o'clock in the morning
 of said day while patrolling his post
 he found the defendant Mack standing
 at the entrance of an alley adjacent
 to said premises and engaged by his presence
 but he could give no satisfactory explanation.
 While deponent was conversing with said
 Mack, the defendant Clark came from
 the alley and joined Mack. Jack Casey
 thereupon made an investigation of the
 premises and found the door leading
 from the alley into said store
 broken as aforesaid. That by reason
 of these circumstances deponent charges
 the defendant with breaking into said
 premises with intent to commit some
 crime.

Sworn to before me
 this 23rd November 1893

John P. [Signature]

Police Justice

Dated 1888 guilty of the offence within mentioned, I order he to be discharged.

There being no sufficient cause to believe the within named

Dated 1888 Police Justice.

I have admitted the above named

Dated 1888 Police Justice.

of the City of New York, until he give such bail.

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, District,

THE PEOPLE, &c.,
 on the complaint of

Offence—BURGLARY.

vs.

1
2
3
4

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0554

CITY AND COUNTY } ss.
OF NEW YORK, }

1921

aged years, occupation Police Officer of No.

W. Freeman Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of James Sulkan

and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me this 23 day of March 1892 by Cornelius F. Casey

[Signature] Police Justice.

0555

3

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, }

Louis Mack being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is *his* right to make a statement in relation to the charge against *him*; that the statement is designed to enable *him* if he sees fit, to answer the charge and explain the facts alleged against *him*; that he is at liberty to waive making a statement, and that *his* waiver cannot be used against *him* on the trial.

Question. What is your name?

Answer. *Louis Mack*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *New York*

Question. Where do you live and how long have you resided there?

Answer. *434 East 73rd St. 2 years*

Question. What is your business or profession?

Answer. *Laborer*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer. *I am not guilty.*

Louis Mack

Taken before me this *23*

day of *Nov* 190*5*

W. J. [Signature]

Police Justice.

0556

3

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss:
OF NEW YORK,

John Clark being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

John Clark

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

Philadelphia

Question. Where do you live and how long have you resided there?

Answer.

No home

Question. What is your business or profession?

Answer.

Leather dresser

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer.

*I am not guilty,**John Clark*Taken before me this *23*day of *November* 1889*Wm. H. Keefe*
Police Justice.

0557

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendants

new guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Two Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Nov 23 1892 Stephens Police Justice.

I have admitted the above-named _____
to bail to answer by the undertaking hereto annexed.

Dated _____ 18 _____ Police Justice.

There being no sufficient cause to believe the within named _____
_____ guilty of the offence within mentioned. I order he to be discharged.

Dated _____ 18 _____ Police Justice.

0558

Police Court---

1467 District.

THE PEOPLE &c.,
ON THE COMPLAINT OF

James Sullivan
vs. Joseph
John Clark
Louis Wash

Offence *burglary*

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *Nov 23* 18*92*

Butler Magistrate.

Consign Officer.

..... Precinct.

Witnesses *Call officer*

No. Street.

No. Street.

No. Street.

\$ *1000* to answer *LS*

Can't

COURT OF GENERAL SESSIONS-Part III.

The People of the State of New York,
 against
 LOUIS MACK and JOHN CLARK.

Before Hon. RUFUS
 B. COWING, and a
 Jury.

Indictment filed November 29th 1892.

Indicted for an attempt at burglary in the third degree.

New York, December 8th 1892.

APPEARANCES: For the People Assistant District Attorney Gunning S. Bedford.

For the defendant Mr. Jacob Berlinger.

MORRIS SULKI_{nr}, a witness for the People, sworn, testified:

I live at No. 15 Forsyth street in this city. I keep a liquor store on the ground floor of those premises and live upstairs. There is one door of my saloon on the side which leads into an alley way. That alley way is twenty five feet in depth. I locked up my place on the night of the 23rd of November and went to bed about one o'clock. I was awakened at about three o'clock by the officer. When I came down stairs he called my attention to the door of my saloon which led into the alley way. I found that it had been broken off its hinges and a person could come in through the space which was made. The two defendant's were there in the custody of the officer. They both told the officer that they were waiting for a milkman.

CORNELIUS CASEY, a witness for the People, sworn, testified:

I am a police officer attached to the 11th precinct. At three o'clock on the morning of the 23rd of

November I was in the neighborhood of No. 15 Forsyth street. I saw one of these defendants Mack standing in the alley way of Mr. Sulkin's saloon. I asked him what he was doing there, and he told me he was waiting for a milkman. While he was answering my questions Clark walked down the alley way. From seeing these men acting in this way I became suspicious. I blew my whistle and got the assistance of another officer. I asked Clark what he was doing there, and he told me also that he was waiting for a milkman. I held the pair of them until another officer came up in answer to my whistle. I then went down into the alley. I found the side door of the saloon leading into the alley broken open. I then went into the saloon and up stairs. I woke the proprietor up brought him down and had him examine the premises. We found that this door which he had left securely locked at the time he retired was broken. He did not find any of his goods missing. I then went back and took the two defendants to the station house and had them locked up on a charge of attempting to commit a burglary. I the station house the defendants told the sergeant that they were waiting there for a third party who had gone to a bakery to get some thing to eat. In the Court the following morning the Judge asked them why it was that they made these different statements, and they told the Judge that they did not think of anything else to say at the time. I went in through the door which they had broken. There was ales, wines and liquors in the store at the time. I did not have my revolver in my hand

at the time I was asking the question of Mack. I did have it in my hand after I blew my whistle and while I was holding the two men.

JOHN CLARK, one of the defendants, sworn, testified:

I was standing as the officer testified. I was in this alley way in company with Mack. We were waiting for a man who had gone to the bakers to get us something to eat. I belong in Philadelphia and had only been in this city a few days before my arrest. I had fifty cents at the time of my arrest. I did not break open this door or assist any one else in doing it. I have never been arrested here for anything. I did not tell the police officer that I was waiting for a milkman. If I did I was excited.

CROSS EXAMINATION:

I was just inside of the alley way at the time the police officer said. I was not down the alley way as he stated. I was quite near the defendant Mack. I thought the officer would arrest me if I told him I was waiting for another boy. I met the defendant Mack in a lodging house in which I was stopping. I did not go to a lodging house that night because I did not have money enough to pay for a bed for three of us for the night. I was not doing any work for the two or three days I was in this city.

The jury returned a verdict of guilty of an attempt to commit the crime of burglary in the third degree.

Indictment filed Nov. 29-1892

COURT OF GENERAL SESSIONS

PART III.

THE PEOPLE &c.

against

LOUIS MACK and JOHN CLARK.

Abstract of testimony on
trial, New York December
8th 1892.

0562

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Louis Mack
and
John Clark

The Grand Jury of the City and County of New York, by this indictment, accuse

Louis Mack and John Clark
Attempting to commit the crime of
of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

Louis Mack and John Clark both

late of the *10th* Ward of the City of New York, in the County of New York aforesaid, on the
23rd day of *November* in the year of our Lord one
thousand eight hundred and ninety-*two*, in the *right* time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the store of
one *Morris Sulkin*

attempt to

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit, with intent the goods, chattels and personal property of the said *Morris*
Sulkin in the said *store*
then and there being, then and there feloniously and burglariously to steal, take and carry away,
against the form of the statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

De Lancey Nicoll,
District Attorney.

0564

BOX:

502

FOLDER:

4579

DESCRIPTION:

Maire, Jules C.

DATE:

11/10/92



4579

0565

BOX:

502

FOLDER:

4579

DESCRIPTION:

Townsend, William

DATE:

11/10/92



4579

Witnesses:

Max Unger
off. place 11th Ave

Counsel,

Filed

Pleads,

day of

1892

THE PEOPLE

vs.

F

Jules C. Mair

and

F

William Townsend

Robbery,
Degree,
(Sections 224 and 23
Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Farrell

Foreman.

Nov 11/92

Heard by jury

Nov 14/92

10400

0567

Police Court

3rd District.CITY AND COUNTY } ss
OF NEW YORK,

of No. 271. Bowery Street, Aged 58 Years
 Occupation Car Driver being duly sworn, deposes and says, that on the
21 day of October 1892, at the 17 Ward of the City of New York,
 in the County of New York, was feloniously taken, stolen, and carried away from the person of de-
 ponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful money.

of the value of Twenty Six DOLLARS,
 the property of Otto Löffler and in default of same
 and that this deponent has a probable cause to suspect, and does suspect, that the said property was
 feloniously taken, stolen, and carried away, by force and violence as aforesaid by

Julius Garte & William Townsend.
both now here for the following reasons.
that at about 1 o'clock A.M. said
date the said defendants together
and in company of each other, entered
the said business where deponent
was employed as a bartender that
the defendants, requested deponent to
serve them with a drink that deponent
then served them with two glasses of
beer that the defendant Townsend
then came behind the bar where
deponent was standing and picking

Subscribed and sworn to this
 1892

Police Justice

up a club that was hanging in the back
bar. Seized violent hold of defendant
by the throat and proceeded to
do defendant bodily harm if he should
make any out cry, while the defendant
Morse ~~then~~ went behind the bar
that the defendant Morse then went
behind the bar and feloniously
took store and carried away
by force and violence without
his consent and against his will
the said property from the view
of the register that was standing
on the back bar.

Sum to produce } Max Tinger
this 3rd day Nov 1892
J. H. M.
Police Justice.

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated _____ 189
Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereinafter named.
Dated _____ 189
Police Justice.
There being no sufficient cause to believe the within named
guilty of the offense therein mentioned, I order he to be discharged.
Dated _____ 189
Police Justice.

Police Court, _____ District.

THE PEOPLE, vs.,
on the complaint of _____

vs.

1. _____
2. _____
3. _____
4. _____

Offence—ROBBERY.

Dated _____ 189

Magistrate.

Officer.

Clerk.

Witnesses, _____
No. _____
No. _____
No. _____
No. _____
\$ _____ to answer General Sessions.

0569

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY
OF NEW YORK, ss:

Jules C. Mair

being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

Jules C. Mair

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

Switzerland

Question. Where do you live and how long have you resided there?

Answer.

76 West Houston St. 8 months

Question. What is your business or profession?

Answer.

Laborer

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer.

I am not guilty

Jules Charles Mair

Taken before me this 3
day of November 1894

Police Justice

0570

Sec. 198—200.

CITY AND COUNTY
OF NEW YORK, ss:

3 District Police Court.

William Townsend being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is *his* right to make a statement in relation to the charge against *him*; that the statement is designed to enable *him* if he sees fit, to answer the charge and explain the facts alleged against *him*; that he is at liberty to waive making a statement, and that *his* waiver cannot be used against *him* on the trial.

Question. What is your name?

Answer. *William Townsend*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *Missouri*

Question. Where do you live and how long have you resided there?

Answer. *4 Livingston St. 1 year*

Question. What is your business or profession?

Answer. *Painter*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer. *I am not guilty,*
William Townsend

Taken before me this

day of *March* 189*7*

Police Justice.

0571

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

Leferchants

Twenty five ~~guilty thereof~~, I order that ~~he~~ be held to answer the same, and ~~he~~ be admitted to bail in the sum of *Twenty five* Hundred Dollars, *Cash* and be committed to the Warden and Keeper of the City Prison of the City of New York, until ~~he~~ give such bail.

Dated, *Nov 9* 189

[Signature]
Police Justice.

I have have admitted the above-named
to bail to answer by the undertaking hereto annexed.

Dated, 189

..... Police Justice.

There being no sufficient cause to believe the within named

..... guilty of the offense within mentioned, I order ~~h~~ to be discharged.

Dated, 189

..... Police Justice.

0572

Police Court,

3

1390 District.

THE PEOPLE, &c
ON THE COMPLAINT OF

Max Unger
271 vs. Bowers
Julius C. Maure
William Townsend

Offense

BAILED,

No. 1, by.....
Residence..... Street.

No. 2, by.....
Residence..... Street.

No. 3, by.....
Residence..... Street.

No. 4, by.....
Residence..... Street.

Dated, Nov 3 1892

Hogan Magistrate.
Place & Smith Officer.
11 Precinct.

Witnesses
No. 11 Precinct Street.
Otte Leffler
No. 168 Essex Street.

No. Street.
to answer

Cur

0574

STATE OF NEW YORK,
EXECUTIVE CHAMBER,
ALBANY.

June 24, 1893,

Hon. De Lancy Nicoll
District Attorney
New York City.

Dear Sir,

The application for clemency for Julius C. Muir was filed some days since, and on the 21st instant a report was made for your report in the case. Since then the enclosed letter has been received from the prisoner and is forwarded to you so that you may understand the grounds on which the application for clemency is made. Please return the same to the Executive Chamber with your report.

Very respectfully yours
J. S. Williams
Private Secretary.

Enclosure

0575

*District Attorney's Office,
City and County of New York*

September 27th, 1893.

Captain Eleventh Precinct.

Dear Sir :-

It is necessary that I see either Officer Place or Smith who ~~was~~ attached to your precinct in November 1892, regarding the case of Jules C. Maire, who plead guilty to the crime of Robbery and was sentenced to ten years imprisonment by Judge Fitzgerald. I sent for the officers on August 22nd, but understood at the time that they were away on their vacation.

Will you cause either of them to report to me forthwith, and oblige.

Yours &c.,

Henry J. C. C. C.

*Copy submitted and forwarded
to the District Attorney.*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John R. ... and
William ...*

The Grand Jury of the City and County of New York, by this indictment, accuse

John R. ... and William ...
of the CRIME OF ROBBERY in the *first* degree, committed as follows:

The said *John R. ... and William ...*

late of the City of New York, in the County of New York aforesaid, on the *fourth* day of *October*, in the year of our Lord one thousand eight hundred and ninety-*two*, in the *morning* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *May ...*, in the peace of the said People then and there being, feloniously did make an assault; and

*the ... of ... in
money, ...
of ... and ...*

of the goods, chattels and personal property of *one ...* against the will
from the person of the said *May ...* and by violence to the person of the said *May ...*,
then and there violently and feloniously did rob, steal, take and carry away, the said

*John R. ... and William ...
and ... of them, ... and ...
aided ... an accomplice, ...
to ... the other.*

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*...
... attorney*

0577

BOX:

502

FOLDER:

4579

DESCRIPTION:

Majorowicz, John

DATE:

11/18/92



4579

Witnesses:

Mario Kahn
off. Oroue 25th

Counsel,

Filed

day of

189

Pleas,

THE PEOPLE

Degree,
Penal Code.]

us.

Grand Larceny,
[Sections 528, 529,
Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John G. Fallon

Dec 7/892, Foreman.

and convicted of
Grand Larceny with intent.

Grand Larceny & Larceny

D. C. Protection

0579

(1305)

Police Court—14 District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No. 1487 First Avenue Street, aged 34 years,
occupation Produce Dealer being duly sworn,
deposes and says, that on the 14 day of November 1892 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property, viz:

A quantity of jewelry of the value
of about forty five dollars

the property of deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen
and carried away by John Kigoranicz, son

hus for the following reasons: That
the defendant was in deponent's employ
and lived with deponent about six months.
That on the 9th day of November deponent dis-
charged the defendant. That on said 14th
of November deponent missed the property
and caused defendant's arrest and the
defendant admitted to deponent that
he took the property and pawned the
same. That deponent went in company
with defendant to two pawn offices
and identified the property which had
been pawned by defendant, as his own.
Therefore prays that the defendant be dealt
with according to law Morris Kahn

Sworn to before me, this

day

of

18

1892

Police Justice.

0580

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss:
OF NEW YORK }

John Majorowicz being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *John Majorowicz*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *Poland*

Question. Where do you live and how long have you resided there?

Answer. *No 324 East 75 St. one day*

Question. What is your business or profession?

Answer. *Recep*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer. *I am not guilty**Jan Majorowicz*

Taken before me this

day of

1895

Police Justice.

0581

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named.....

Defendant
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 10 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such Bail.
Dated 10/16/92 *J. J. [Signature]* Police Justice.

I have admitted the above-named.....
to bail to answer by the undertaking hereto annexed.

Dated.....18..... Police Justice.

There being no sufficient cause to believe the within named.....
guilty of the offence within mentioned. I order he to be discharged.

Dated.....18..... Police Justice.

0582

Police Court--- *4* District. 1427

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Morris Kahn
1148 1/2 Ave
John Hapromicz

Paul Larceny
Office

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated *for 16* 18.....
Kilbuck Magistrate.

Crome Officer.
25 Precinct.

Witnesses *Wm H King*
No. *108 E 23rd* Street.

No. Street.

No. Street.
S. *Wm H King* answer *S.S.*

Comm

COURT OF GENERAL SESSIONS OF THE PEACE,
City and County of New York.

The People,)	Before
vs.)	
JOHN MAJOROWICZ.)	--HON. JAMES FITZGERALD,
)	and a Jury.

TRIED, DECEMBER 7TH, 1892.

INDICTED FOR GRAND LARCENY IN THE SECOND DEGREE.
INDICTMENT FILED NOVEMBER 18TH, 1892.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY BARTOW S. WEEKS,

For THE PEOPLE.

MR. CAFFREY,

For THE DEFENSE.

//////////

0584

2

MORRIS KAHN, the COMPLAINANT, testified that he was in the produce business, and lived at 1482 First Avenue. The defendant had been in his employ. He worked around the horse, on the wagon, etc. He discharged him from his employ the week before he was arrested. About four or five days after he discharged the defendant, he, the witness, missed a diamond breastpin, one earring and a cameo ring. The witness talked to a person where the defendant worked, and, in consequence of that conversation, he called upon the defendant and said to him, "John, I want to see you." The defendant said, "I don't want to see you." The witness then grabbed hold of him, and got him outside, and said, "What pawn ticket is that for that ring?" He said, "What ring?" And the man that he worked for showed the pawn ticket. Then he admitted that he pawned the ring, and said he would show me where it was. The witness then went to Third Avenue and handed him to Officer Crowe. The defendant

3
said he did not know the number, but knew the place where he pawned it. He pawned the earring and one ring in a pawnshop on Second Avenue. Then the defendant was arrested, and taken to court, and remanded until next day, so that the property might be looked for; and they went to two pawnshops and found the property; in Third Avenue between 80th and 81st Street the cameo ring was found. It was worth from \$5. to \$6. The diamond breastpin and one earring were also found. The breastpin was worth about \$35, and the earring about \$5. The defendant went in the custody of the Officer and showed where the property had been pawned. In

C r o s s - E x a m i n a t i o n,
the witness testified that the defendant worked for him on two different occasions, at one time for two months, and at another time for six weeks. He worked for the complainant, all told, about four months. The witness first missed his property on Thursday evening, the 13th, at about 11 o'clock. The defendant was arrested on the 14th. The complainant, after he ascertained his loss, had the defendant arrested. At the time of the loss he only

suspected the defendant, who afterwards confessed the⁴
theft---when the pawnticket was produced.

PATRICK CROWE testified that he was a police officer, attached to the 25th Precinct. He arrested the defendant in Third Avenue, between 75th and 76th Streets, upon a charge preferred against him by the complainant, and took him to the 67th Street station house, and, from there, to the police court, and back again to the station, and informed the Sergeant at the desk that the defendant had been remanded until the following morning, and the Sergeant ordered him to take the defendant to the pawnshops where the defendant pawned the property, to identify the jewelry. The defendant went to one on Third Avenue and to another on Second Avenue, between 80th and 81st Street, and the complainant identified the property that was found.

JOHN MAJOROWICZ, the DEFENDANT, testified, in his own behalf, that he lived at 329 75th Street, and, on the 14th of November, last, was 15 years of age. He received \$4.25

5
for all the property that he had pawned. The complainant was moving, and the defendant found the property under a baby carriage in the hallway, about two days after the man had moved. He put the property in his pocket and then pawned it. The complainant came to him, the defendant, and said, "Hay, John, put your coat and hat on and come along with me." Then he asked the defendant about the stolen property, and the defendant said, "I got it, and I put it in the pawnshop. You come with me and I show you where it is." Then the complainant had him arrested. He, the witness, did not refuse to tell the complainant where the property was. The witness told the complainant where he found the property, that it was in the hallway, and the complainant said he lied. He told that story in the station-house and again in the police court. He had never before been arrested. He was born in Germany, and had been in this country about five years. He has worked ever since he came to this country. In

C r o s s - E x a m i n a t i o n

the witness testified that he was not discharged by the complainant when he worked for him. The witness said,

0588

"He didn't want to pay me. I told him before that I ⁶ will not clean the stable out, because he did not pay me." He did not know that the jewelry belonged to the complainant. He did not take the property because the complainant did not pay him. He found it in the hallway of the house in which the complainant lived, and when the complainant inquired about it, he, the defendant, told the complainant right away that he had the property. There were ten families, besides the complainant, living in the same house in which the complainant lived. He asked a lady if she lost the jewelry, and she said no; and then the defendant put it in his pocket, and about a day afterwards he pawned it on Second Avenue and on Third Avenue. He had never pawned anything before. On the pin and earring he received \$3.10, and on the cameo ring, \$1.25. When he left the complainant, he went to work at 325 77th Street. He found the jewelry at 1492 First Avenue, between 77th and 78th Streets. The first thing that the complainant asked him, the defendant, if he had the things, and the defendant answered right away that he had. The complainant described the property to him, the defendant, and the defendant re-

0589

membered it, and at once told him he had found it, and⁷
that he would take him where the property was. The
defendant lost the pawntickets; he did not throw them
away. At the pawnshop he gave the name of "John
Lippett"---the name of the man for whom he was working---
because his name was "such a funny name"---and he gave
his address as 426 76th Street, although he did not
live there.

0590

Court of General Sessions
 of the People
 vs
 John Mayanowicz

REPORT OF THE NEW YORK SOCIETY FOR
 THE PREVENTION OF CRUELTY
 TO CHILDREN.

100 EAST 23D STREET,

New York, November 11, 1892.

CASE NO. 68911 OFFICER Craig
 DATE OF ARREST November 15th 1892
 CHARGE Grand Larceny
 AGE OF CHILD Fifteen years
 RELIGION Catholic
 FATHER Anton (dead)
 MOTHER Alexandre
 RESIDENCE 329 E. 75th Street.

AN INVESTIGATION BY THE SOCIETY SHOWS THAT boy formerly
 lived with the complainant for six months
~~and~~ was also in his employ. He was discharged
 on November 10th on account of being dishonest.
 His ^{father} mother is dead and his mother is in
 Germany. Records of Society show nothing
 against him.

All which is respectfully submitted,

To Court's atty

Harry E. Stockman
 asst Secy

Board of

General Sessions

the People or John Mayencio	Friend & Family PENAL CODE, 18
-----------------------------------	-----------------------------------

Report of the New York Society
for the Prevention of Cruelty
to Children.

ELBRIDGE T. GERRY,
President, &c.,
100 East 23d Street,
NEW YORK CITY.



Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Majorowicz

The Grand Jury of the City and County of New York, by this indictment, accuse

John Majorowicz
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said

John Majorowicz,

late of the City of New York, in the County of New York aforesaid, on the *14th*
day of *November* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms,

*divers articles of jewelry, of a
number and description to the
Grand Jury aforesaid unknown,
of the value of forty five dollars*

of the goods, chattels and personal property of one

Monty Kahn

then and there being found, then and there feloniously did steal, take and carry away, against
the form of the statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

*De Lancey Nicoll,
District Attorney.*

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,

of the goods, chattels and personal property of one

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said

unlawfully and unjustly did feloniously receive and have; the said

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0594

BOX:

502

FOLDER:

4579

DESCRIPTION:

Malone, Frank

DATE:

11/11/92



4579

Witnesses:

Geo W. Hove
Geo M. Chaston

Counsel,

Filed *11*

Day of *Nov* 189*2*

Pleas

Nov 14

THE PEOPLE

vs
Frank Malone

Robbery, (Sections 224 and 228, Penal Code.)

Sub 2 - Nov. 21, 1892
Frank Malone

DE LANCEY NICOLL,

District Attorney.

Emira

A TRUE BILL.

John E. Forster

Foreman.

Nov. 23

Nov 25 - 6.18

T. J. B.

0596

STATE OF NEW YORK.
CITY AND COUNTY OF NEW YORK. } ss.

Police Court--First District.

of No. *575 Broome* Street being duly sworn, deposes
and says, that on the *10th* day of *October* 18*92*
at the *Fifth* Ward of the City of New York, in the
County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent, by force and violence, without his consent and against his will, the following property viz:

*Good & lawful money of the
United States consisting of
Silver & nickel coins & paper
of the value of*

of the value of *Eighty five (85) cents* Dollars,
the property of *Deponent*

and that this deponent has a probable cause to suspect, and does suspect, that the said property
was feloniously taken, stolen, and carried away by force and violence as aforesaid, by

*Francis Malone (man here) and
another person unknown to deponent
who is as yet not arrested, & who
were acting in concert. For the
reasons following to wit: About
the hour of 3 o'clock p.m. on the
afternoon of said day, deponent
was in Greenwich Street & had the
said property in the right hand
pantaloons pocket of the pants he
had on, when said deponent
caught hold of deponents left arm*

State to the Police Court

Police Justice

And said unknown person caught
 back of deponent's right arm
 and both securely held him
 And said unknown person
 while holding deponent, as
 aforesaid placed his hand
 in the pantaloons pocket of
 deponent's pants and turning his
 pocket took said property therefrom
 and ran away with defendant
 Deponent fully identifies said
 defendant as the one who held
 him by the left arm while said
 unknown person who is as
 yet not arrested took said property
 And he therefore charges him with
 acting in concert with said
 unknown person and with
 the robbery aforesaid

Sworn to before me by } Joseph W. Howe
 this 20th day of October }
 W. M. M. M. }
 Police Justice

0598

(1235)

Sec. 198—200.

District Police Court

CITY AND COUNTY } ss.
OF NEW YORK,

Frank Malone being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

Frank Malone

Question. How old are you?

Answer.

18 years.

Question. Where were you born?

Answer.

United States

Question. Where do you live and how long have you resided there?

Answer.

461 Greenwich Street. Conn.

Question. What is your business or profession?

Answer.

Lauterous

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

I am not guilty

Frank Malone

Taken before me this

day of *October* 189*2*

Police Justice.

0599

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

Defendant

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Twenty Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Dec 20 1897 J. J. J. Police Justice.

I have admitted the above-named to bail to answer by the undertaking hereto annexed.

Dated, Dec 20 1897 J. J. J. Police Justice.

There being no sufficient cause to believe the within named guilty of the offense within mentioned, I order he to be discharged.

Dated, Dec 20 1897 J. J. J. Police Justice.

0600

1337

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph M. Malone
572 1/2 Avenue
Frank H. Hagan

2
3
4

Office

BAILED,

No. 1, by.....

Residence Street.

No. 2, by.....

Residence Street.

No. 3, by.....

Residence Street.

No. 4, by.....

Residence Street.

Dated, *Oct 20 1892*

W. M. Malone Magistrate.

W. M. Malone Office

Precinct.

Witnesses *L. M. Malone*

No. *58 King* Street.

No. Street.

No. Street.

\$..... to answer

.....

.....

Court of General Sessions,
City and county of New York.

-----*	:	Before the
The People	:	
vs.	:	Hon. Rufus B. Cowing
	:	
Frank Malone	:	and a jury.
-----x	:	

Indicted for robbery in the first degree.

Indictment filed November 11, 1892.

Tried November 25, 1892.

Appearances.

Assistant District-Attorney Bedford for the people .
Mr. for the defence .

J O S E P H W. H O W E called by the people, being duly sworn, testified that he resided at 522 Broome street New York, and was looking for work at the time the alleged robbery occurred. Complainant was going down to Matthew Deane & Co. as he was acquainted with the shipping clerk there, and wanted to get employment during the busy season. A little after three o'clock P.M. on October 10th complainant met defendant and another

man on Greenwich street and did not know either of them previous to that time. Complainant had 85 cents in one pocket and a five dollar bill in another pocket, which last pocket was not robbed. Complainant is positive that defendant did it with another person a little larger in size. Complainant at the time was going south but happened to stop for a moment to look at some decorations that had been put up on a building, and at that moment, which was perhaps five seconds, the defendant with both hands grabbed complainant by the wrist of the left hand, and the accomplice grabbed complainant by the other wrist, quickly put his hand in complainant's pocket tearing it down, and taking therefrom 85 cents. This being done defendant and his accomplice ran behind some trucks and down towards Laight street. This was a little after three o'clock P. M. Several persons tried to stop them but without avail. Another boy was arrested on suspicion. Complainant said he was not the one, but he looked like defendant. Complainant did not say the boy suspected was red headed. Complainant said the other boy was larger than the defendant. After complainant broke away from defendant and his accomplice, and they ran, complainant had a full view of

defendant's face, as complainant pulled him around, so that his face was in front of complainant. Complainant is 54 years old, and generally in pretty good health; has had erysipelas and Grip this year. On the afternoon in question complainant was in good health and perfectly sober. About 10 minutes before the occurrence he had taken a drink and had not drunk anything else since 8 o'clock A. M.

GILBERT McMAHON being duly sworn, testified that he was an engineer working at 465-7-9 Greenwich street New York, and was there on the 10th of October 1892, at 3 o'clock about P. M., and saw complainant defendant and defendant's accomplice. Witness saw defendant and defendant's accomplice each then and there hold complainant's hands while they ran their hands into complainant's pocket. Do not know what they got. Witness saw complainant's trousers torn afterwards, and the defendant and accomplice ran towards Vestry street. Witness knew the defendant for two years before. In order to tackle complainant the defendant and accomplice came up from behind. Witness identifies defendant as one of the robbers and knew him for about two

years. Witness had not drank anything that day, and was not a drinking man.

T H O M A S E. K E H O E being duly sworn testified that he was an officer connected with the 5th precinct. He did not make the arrest, but left word to have the defendant arrested by another officer. Defendant was arrested and brought into the station house, and the next morning sent for the complainant. Complainant identified defendant as the robber .

J A M E S H O G A N (called Frank Malone), defendant being called by the defence and duly sworn testified that he resided at 425 Greenwich street; had lived there over a year. Defendant is 17 years old and his right name is Hogan, and he signed his name Malone so as not to disgrace his family. Defendant had been working at a landing. At the time in question the defendant was looking at a shool parade. Defendant done work on an express wagon for J. J. Hart at 21 Desbrosses street. Defendant was not present at the time of the robbery of complainant, but was looking at the school parade at 14th street and Broadway and never saw the defendant in his life .

0605

5

J O H N H A R T being duly sworn testified that he was an expressman and knew defendant ; that he worked for him and had known him five years since boyhood. Witness never found fault with defendant. Witness would not swear that defendant was honest, but never saw him do anything wrong. Witness could not say that defendant was dishonest; never saw him steal.

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0606

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Franka Malone

The Grand Jury of the City and County of New York, by this indictment, accuse

Franka Malone

of the CRIME OF ROBBERY in the *First* degree, committed as follows:

The said *Franka Malone*,

late of the City of New York, in the County of New York aforesaid, on the *Fourth* day of *October*, in the year of our Lord one thousand eight hundred and ninety-*two*, in the *day* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *George W. Stone*, in the peace of the said People then and there being, feloniously did make an assault; and

diver parts of the United States of America, as a member, friend and communication to the Lyand King of said unknown, as the value of eighty five cents,

of the goods, chattels and personal property of the said *George W. Stone*, from the person of the said *George W. Stone*, against the will and by violence to the person of the said *George W. Stone*, then and there violently and feloniously did rob, steal, take and carry away, the said

Franka Malone being then and there aided by an accomplice, actually present, whose name is to the Lyand King aforesaid as yet unknown.

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Edw. J. McCall,
Attorney

0607

BOX:

502

FOLDER:

4579

DESCRIPTION:

Marr, Lawrence W.

DATE:

11/21/92



4579

Witnesses: John Barrett

Handwritten signature: J. J. J.

Filed, 21 day of Oct 1927

Pleads, *Amend.*

THE PEOPLE

718

—

Lawrence, Mary

NOTES.

[§§ 343 and 344, Penal Code.]

DE LANCEY NICOLL,

District Attorney,

A TRUE BILL.

Thos. C. Sullivan

Foreman.

1941

Wm. L. Galt

Fried 150-

[illegible]

0608

Police Court Fourth District.

City and County } ss.
of New York.

John Marett
of No. 76 Lexington Avenue Street, aged _____ years,
occupation Agent being duly sworn, deposes and says,
that on the Fourteenth day of September 1892, at the City of New
York, in the County of New York, One John Booz (true name

unknown to deponent) a man with dark hair
and mustache, tall, complexion
apparently 30 years of age,
being the owner, Agent or Superintendent
of a certain room or apartment
situated on premises described as
fallows, to wit: the rear of No 394 West
Street & rear room thereof
did then and there engage as dealer
or broker and did then and there
with, request and offer to sell what
are commonly called lottery
tickets, to wit a certain slip or
writing, paper or document re-
presenting the sum of ten cents
invested by deponent, wherein
deponent was to receive a sum
of money exceeding two hundred
after said if the number appeared
at an alleged drawing. To
wit, 4-17-28 appeared, all of
which is in violation and
contrary to the statute in
such case made and
provided and especially
Section 344 of the Penal
Code of the State of New York
whereupon deponent prays
said John Booz may be
apprehended and arrested
and dealt with according
to law.

Sworn to before me, this John Marett
14th day of September 1892,

J. J. V. V. V.
Police Justice

06 10

State of New York,
City and County of New York, } ss.

of No. 76 Lexington Ave
that Lawrence V. Marr
John Marr
day of September
mentioned in deponent's affidavit of the 14th
1892 hereunto annexed.

Sworn to before me, this 15th
day of September 1892 } John H. Marett

John H. Marett POLICE JUSTICE.

06 1 1

Sec. 198-200.

4-

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

Lawrence Marr

being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is *h^{is}* right to make a statement in relation to the charge against *h^{im}*; that the statement is designed to enable *h^{im}* if he sees fit, to answer the charge and explain the facts alleged against *h^{im}*; that he is at liberty to waive making a statement, and that *h^{is}* waiver cannot be used against *h^{im}* on the trial.

Question. What is your name?

Answer.

Lawrence Marr

Question. How old are you?

Answer.

36 years

Question. Where were you born?

Answer.

New York

Question. Where do you live and how long have you resided there?

Answer.

No 245 East 51 Street about 2 years

Question. What is your business or profession?

Answer.

Clerk

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer.

I am not guilty.

Lawrence W. Marr

Taken before me this

day of

189

Police Justice.

J. H. McNeill

Séc. 151.

Police Court 4th District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*
OF NEW YORK, } *of New York, or to any Marshal or Policeman of the City of New York, GREETING:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the *Police Justices* for the City of New York, by Isabel Maratt

of No. 76 Lexington Avenue Street, that on the 14 day of September

1892 at the City of New York, in the County of New York, at - ~~Remissio~~ No. 394 West-Street

the Defendant has (but name unknown), a man
with dark hair and a mostache, a low complexion
and about 30 years of age, sell, write, utter and
offer to sell what are commonly called
Salting Papers in violation of
the Statute in such case made
and provided, and especially of Section
244 of the Penal Code of the State
New York. Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to
answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 17th day of September 1892

J. J. V. V. V. POLICE JUSTICE.

06 14

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 10 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Sept 15 1892 Prinnett Police Justice.

I have admitted the above-named Defendant to bail to answer by the undertaking hereto annexed.

Dated Sept 15 1892 Prinnett Police Justice.

There being no sufficient cause to believe the within named _____ guilty of the offence within mentioned. I order he to be discharged.

Dated _____ 18 _____ Police Justice.

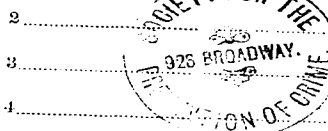
06 19

Police Court---

1245 District.

THE PEOPLE &c.,
OF THE COMPLAINANT OF

John Muratt
vs.
Lawrence J. Muratt



John A. Gray
John A. Gray
John A. Gray

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

Sept 15
1892

1892

Magistrate.

Officer.

Precinct.

Witnesses

Isco R. Delant
923 Broadway

No.

Street.

John W. Gardner

923 Broadway

No.

Street.

No.

Street.

\$

1000 to answer

Bailed

06 16

New York Feb 18th/95-

This is to certify the Bureau
L. W. Marr has been in my
employ for the last 18 months
and I have found him an honest
sober & capable man. He is still
in my employ

Wm. Lynch
1123 Broadway
New York City

0617

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST

Lawrence W. Hearn

The Grand Jury of the City and County of New York, by this indictment accuse

Lawrence W. Hearn
of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING PURPOSES, committed
as follows:

The said *Lawrence W. Hearn*

late of the *Seventh* Ward of the City of New York in the County of New
York aforesaid, on the *fourteenth* day of *September* in the year of our
Lord one thousand eight hundred and ninety-*two*, at the Ward, City and County aforesaid,
with force and arms, unlawfully did keep a certain room in a certain building there situate, to be
used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambl-
ing game commonly called "Policy," where money and property was dependent upon the result,
against the form of the statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

SECOND COUNT:

And the Grand Jury aforesaid, by this indictment further accuse the said

Lawrence W. Hearn
of the CRIME OF KEEPING A ROOM TO BE USED FOR THE PURPOSE OF SELLING
LOTTERY POLICIES THEREIN, committed as follows:

The said *Lawrence W. Hearn*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the Ward, City and County aforesaid, unlawfully did keep a certain room in a certain building there
situate, to be used for the purpose of therein selling and offering to sell what are commonly called
Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and in-
surances upon the drawing or drawn numbers of certain public and private lotteries, and of therein
endorsing and using books and other documents for the purpose of enabling divers persons to sell
and offer to sell lottery policies and other such writings, papers and documents, against the form of
the statute in such case made and provided, and against the peace of the People of the State of New
York and their dignity.

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment further accuse the said

Laurence E. Hunt
of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A LOTTERY POLICY, committed as follows:

The said *Laurence E. Hunt*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

John H. Hunt
a certain paper, instrument and writing, commonly called a Lottery Policy, which said paper, instrument and writing, called a Lottery Policy, is as follows, that is to say:

A. M. Aug 27
11 14 25 10

(a more particular description of which said instrument and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT:

And the Grand Jury aforesaid, by this indictment further accuse the said

Laurence E. Hunt
of the CRIME OF SELLING A PAPER AND WRITING, IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said *Laurence E. Hunt*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

John H. Hunt
a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of

which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say:

A. M. Aug 2
4 14 23 / 10

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FIFTH COUNT:

And the Grand Jury aforesaid, by this indictment further accuse the said

Laurence E. Mann

of the CRIME OF SELLING A WRITING PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows:

The said

Laurence E. Mann

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown and cannot now be given), which said paper, writing and document is as follows, that is to say:

John H. Nicoll
11 14 23 / 10

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0620

BOX:

502

FOLDER:

4579

DESCRIPTION:

Martin, Bernard

DATE:

11/11/92



4579

Witnesses:

Peter Minor

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs.

Bernard Martin

Burglary in the Third Degree
[Section 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Fallon

Foreman.

Readed by say

2 yrs 3 mos pp

0622

Police Court— District.

City and County } ss.:
of New York.

Peter Minor
of No. 133 Sullivan Street, aged 23 years,
occupation cooking glasses being duly sworn
deposes and says, that the premises No 133 Sullivan Street,
in the City and County aforesaid, the said being a three story frame
building in part dwelling
and which was occupied by deponent as a dwelling
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking
off two sash cases from the floor
of the 2nd floor near and
entering therein
on the 2nd day of Nov 1888 in the Day time, and the
following property feloniously taken, stolen, and carried away, viz:

One suit of clothes and one
scarf and two pairs of pantaloons
and two gold rings altogether of
the value of Fifty five dollars

the property of Deponent and his brother Charles
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by
Bernard Martin
no where

for the reasons following, to wit: Deponent is informed by
his brother Charles Ming that he
searched locked and fastened the
door and window of said room at
about the hour of seven o'clock A.M.
on said date and said Charles discovered
said premises had been broken into and
said property taken stolen and carried
away at about the hour of eight o'clock

0623

On said date demand further
 that he is informed by Officer
 Samuel Price of the Central Office
 that he found brown tickets on the
 defendant representing a portion of
 said property taken stolen and carried
 away demand upon said report
 and identified the same as a portion
 of the proceeds of said burglary
 I went before me this

5th day of Nov 1898
 John Ryan

John Ryan
 Police Justice

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Degree.

Burglary

vs.

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0624

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

aged 10 years, occupation Charles Miron
Brass Moulder of No. 133 Sullivan Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Charles Miron
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this

day of

189

John J. Ryan

Police Justice.

0625

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

aged 35 years, occupation Samuel Price
Police Officer of No. Central Office
Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Peter M. M.
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this

day of

189

Samuel Price

Police Justice.

0626

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

District Police Court.

Bernard Martin being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is his right to
make a statement in relation to the charge against him, that the statement is designed to
enable him if he see fit to answer the charge and explain the facts alleged against him
that he is at liberty to waive making a statement, and that his waiver cannot be used
against him on the trial.

Question. What is your name?

Answer. *Bernard Martin*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *New York City*

Question. Where do you live, and how long have you resided there?

Answer. *52 South 8th Ave 3 days*

Question. What is your business or profession?

Answer. *Trick Player*

Question. Give any explanation you may think proper of the circumstances appearing in the
testimony against you, and state any facts which you think will tend to your
exculpation?

Answer. *I am guilty*
Bernard Martin

Taken before me this
day of *June* 188*8*

Police Justice.

0627

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, May 189 Police Justice.

I have admitted the above-named Defendant to bail to answer by the undertaking hereto annexed.

Dated, May 189 Police Justice.

There being no sufficient cause to believe the within named Defendant guilty of the offense within mentioned, I order he to be discharged.

Dated, May 189 Police Justice.

0621

Police Court---

2 1399 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Peter Minor
133 Sullivan
Edward Martin

2
3
4

Offense

1399

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated,

189

Magistrate.

Officer.

Precinct.

Witnesses

Charles Minor

No.

133 Sullivan Street.

No.

Charles Minor Street.

No.

1000 Street.

\$

to answer

Burg 3074
g. d. z.

0629

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Bernard Martin

The Grand Jury of the City and County of New York, by this indictment, accuse

Bernard Martin

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

Bernard Martin

late of the 8th Ward of the City of New York, in the County of New York aforesaid, on the second day of November in the year of our Lord one thousand eight hundred and ninety-two, with force and arms, in the day time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Peter Minor

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said Peter Minor in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse, the said

Bernard Martin

of the CRIME OF *Grand* LARCENY in the second degree, committed as follows:

The said *Bernard Martin*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the Ward, City and County aforesaid, in the *day* - time of said day, with force and arms,

*one coat of the value of ten
dollars, one vest of the value
of five dollars, three pairs of
trousers of the value of five
dollars each pair, one scarf
pin of the value of ten
dollars, and two finger rings
of the value of ten dollars each*

of the goods, chattels and personal property of one

Peter Minor

in the dwelling house of the said

Peter Minor

there situate, then and there being found, from the dwelling house aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*DeLancey McCall,
District Attorney*

0631

BOX:

502

FOLDER:

4579

DESCRIPTION:

Martin, James

DATE:

11/25/92



4579

Witnesses:

Amie Martin

Dep't has

Cons. a Cert

in Pen. to Mar

for aparcer
on his wife

[Signature]

Counsel,

Filed

day of Mar

1892

Plends,

43 THE PEOPLE

4-2-18

Jessie Martin

Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Sullivan

Foreman.

Dec. 1/92
Part 3. ~~1/92~~

Ind and convicted
4/17/92

[Signature]

0632

0633

Police Court—4 District.City and County }
of New York, } ss.:

Annie Martin
 of No. 472 West 56 Street, aged 38 years,
 occupation Keeps house being duly sworn
 deposes and says, that on 21st day of November 1892 at the City of New
 York, in the County of New York,

She was violently and feloniously ASSAULTED and BEATEN by her husband
James Martin (now here)
who did then and there cut and stab
deponent on the nose with a knife
which said James held in his hand,
and kicked deponent on the body and
struck her a number of blows on the
face with his clenched hands and
that said assault was committed.

with the felonious intent to take the life of deponent, or to do ~~her~~ grievous bodily harm; and without
 any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be ~~apprehended~~ and bound to answer
 for the above assault, etc., and dealt with according to law.

Sworn before me, this 22 day
 of November 1892

[Signature]
 Police Justice.

0634

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

47
District Police Court.

James Martin being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him - that the statement is designed to enable him - if he see fit to answer the charge and explain the facts alleged against him - that he is at liberty to waive making a statement, and that his waiver cannot be used against him - on the trial.

Question. What is your name?

Answer. *James Martin*

Question. How old are you?

Answer. *42 years*

Question. Where were you born?

Answer. *Ireland*

Question. Where do you live, and how long have you resided there?

Answer. *422 W. 56 St. - 1 mo.*

Question. What is your business or profession?

Answer. *Engineer*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exoneration?

Answer. *I am not guilty -
Jas J Martin*

Taken before me this
day of *Nov* 189*4*

[Signature]
Police Justice.

0635

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 100 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Nov 22 189 [Signature] Police Justice.

I have admitted the above-named _____
to bail to answer by the undertaking hereto annexed.

Dated, _____ 189 _____ Police Justice.

There being no sufficient cause to believe the within named _____
guilty of the offense within mentioned, I order he to be discharged.

Dated, _____ 189 _____ Police Justice.

0638

1453
1894

Police Court--- 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Annie Martin
James Martin

Offense *Felony of Assault*

2 _____
3 _____
4 _____

Dated, *Nov. 22* 189 *2*

H. J. ... Magistrate.
Russell Officer.
32 Precinct.

Witnesses *also before*

No. *433 W 39th* Street.

John Martin

No. *422 W 56th* Street.

Mary Gordon

507, 10th Ave

No. *1000* Street.

\$ *1000* to answer *9 10*

(4)

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

COURT OF GENERAL SESSIONS-Part III.

-----x
The People of the State of New York, : Before Hon. Fred'k.
: :
against : Smyth, and a Jury.
: :
J A M E S M A R T I N . :
: :
-----x

Indictment filed November 25th 1892.

Indicted for assault in the first degree.

New York, November 30th 1892.

APPEARANCES: For the People Asst. Dist. Atty. H. D.
MacDona.

For the defendant Mr. Joseph F. Moss.

ANNE Martin, a witness for the People, sworn, testified:

I am the wife of this defendant. I live at No. 222 West 58th street in this city. I have four children living and five dead. On the 13th day of November my husband came home drunk into our house. He cursed at me and swore. I asked him to be quiet but he would not. I then left the house and went down to Mrs. Crofter's place. He followed me d^won there and when he came in he knocked me down on the floor and kicked and beat me very brutally. He accused me of being a whore to a boarder who was stopping with me whil^e he was up on the Island. I had him sent to the Island or six months for beating me and he had only just come down at the time of this assault. He had a knife in his hand at the time he was assaulting me. He gave me the black eye which I have now and made several bruises which I have on me. I had him arrested and taken

to the station house .

AMANDA MARTIN, a witness for the People sworn, testified:

I am the daughter of the last witness . The defendant at the bar is my father . I have been living with my mother at her house . I remember the day that my father followed my mother to Mrs. Crofter's house . When he came into the room he first hit me in the eye. Then he went at my mother; he punched her in the face. He had one hand in his pocket. He then pulled his hand out of his pocket. I don't know whether he had anything in his hand or not. When he struck my mother in the face I ran out for an officer. My mother fell when my father struck her. While she was upon the floor my father kicked her in the side. I went to the station house with my mother, and heard her make the complaint.

MARY CONDON, a witness for the People, sworn, testified:

I was at Mrs. Crofter's house No. 433 West 38th st. on the afternoon when this assault took place. I saw the woman come in, and afterwards saw the husband come in. He first struck his little girl in the face. Then he went to the chair where his wife was sitting and he knocked her off of it on to the floor . When she was down he kicked her in the side. I ran out into the hall and shouted for help . The policeman came and the man was arrested. The wife went to the station house and made complaint.

WILLIAM PURCELL, a witness for the People, sworn, testified:

I arrested the prisoner Martin. I found on him the knife which I now produce. He told me on the way going to

Court that he did not beat his wife; that the way she got the bruises was by falling against a stove. That is how she got the bruises and got her eye blackened.

D E F E N C E .

JAMES MARTIN, the defendant, sworn in his own behalf , testified:

I am the husband of the complainant and have been the father of nine children. One of the children swore against me in this case . I am not guilty of this assault. I went to Mrs. Crofter s house for the purpose of finding my wife . I had been to our home but I did not find her there . When I opened the door I walked in. There was quite a large party there drinking beer. MY wife had a glass of beer in her hand at the time. I told hold of the glass of beer she had in her hand and I fired it out of the window. My daughter commenced to scream and ran out. My wife jumped up at me then, and I took hold of her. I accused her of going away with my money. While ,struggling together she fell and struck her head against something on the floor . I did not kick her, or assault her in any way. I went out of the house and went to the 37th street station house . I waited there and asked for the aid of a policeman to come and help me get my wife back to her own home. She came into the station house in a few minutes, but the sergeant would not listen to her complaint . He ordered us both out of the station house and told us to go home. I started to go home but she got a policeman and had me arrested charged with assaulting her. I did not assault her in any manner whatever. I only wanted her to come home and bring the children with her.

It was against the stove that she fell and blackened her eyes.

My wife is in the habit of drinking and that is the reason of the trouble between us. I was sent up for six months before on the complainat of my wife. I was not guilty of assaulting her at that time. I was releassed from the island about two days before the time of this charge. I had made up my mind to live peacably with my wife. That is the only thing I had in mind when I went to Mrs. Crofter's house. I did not go there with the intention of assaulting her or beating her. If I had assaulted her and beaten her I would not have gone, as I did, to the station house and asked for a policeman to go and take my wife home. Outside of the time I was arrested on my wife's complainat I have not been arrested or charged with any crime in my life.

The jury returned a verdict of guilty of assault in the second degree.

Indictment filed Nov. 25-1892

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

JAMES MARTIN.

Abstract of testimony on

trial, New York 30th 1892.

0641

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

James Martin

The Grand Jury of the City and County of New York, by this indictment, accuse

James Martin
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

James Martin

late of the City of New York, in the County of New York aforesaid, on the *twenty first* day of *November* in the year of our Lord one thousand eight hundred and ninety-*two*, with force and arms, at the City and County aforesaid, in and upon the body of one *Annie Martin* in the peace of the said People then and there being, feloniously did make an assault and *beat* the said *Annie Martin* with a certain *knife*

which the said

in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and wound,

with intent *beat* the said *Annie Martin* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

James Martin

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Annie Martin* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *beat* the said *Annie Martin* with a certain *knife*

which the said

in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

James Martin

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

James Martin

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said *Annie Martin* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and *beat* the said with a certain *knife* *Annie Martin*

which *he* the said

James Martin

in *his* right hand then and there had and held. in and upon the *face* of *her* the said

then and there feloniously did wilfully and wrongfully strike, *beat, stab, cut, bruise* and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL, *District Attorney.*

0644

BOX:

502

FOLDER:

4579

DESCRIPTION:

Matzdorf, Martin

DATE:

11/11/92



4579

0645

Witnesses:

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs.

Martin Maydorf

[Section 498, sec 6, ss 5 & 6, 2nd ed.]
Burglary in the Third Degree.

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Foreman
Foreman.
Charles D. May 3d
Ed. R. 1897

0646

Police Court— 14 District.City and County } ss.:
of New York, }

of No. August Braum Street, aged 28 years,
 occupation Keep Bath House being duly sworn
 deposes and says, that the premises No. East River #66 Street, 19 Ward
 in the City and County aforesaid the said being a three story frame
dwellling which
 and ~~which~~ was ~~known~~ by deponent as a dwellling
 and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly opening a
window leading into said apartments

on the 24 day of October 1899 in the day time, and the
 following property feloniously taken, stolen, and carried away, viz:

A Children's Savings Bank with about
Twenty dollars in gold and lawful money,
A ladies gold chain with gold dollar attached
and also a key and chain attached, and
a pair of gold earrings and a Brooch together
of the value of about Twenty five dollars

the property of Deponent and family
 and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
 BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Martin Metzdorf
(unknown)

for the reasons following, to wit: That on said date at about
the hour of 10 A.M. said premises were
left securely locked and fastened and
said property was in Bureau drawer in
said premises. At about the hour of 1 P.M.
on said date said property was found
to be missing said Bureau having been broken
open, and deponent ascertained that said
premises had been entered by means of opening

the cattle of said Windsor Academy & said
apartments. Upon arrest, caused the arrest
of said defendant by Officer John Long
of the 25th Precinct. Said defendant admitted
and confessed that he did take said
and carry away said property. Defendant
therefore asks that he may be dealt with
as the law directs.

Sworn & before me this }
7th day of November 1892 } Attorney

Charles H. Hamilton
Notary Public

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1892
Police Justice.

I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1892
Police Justice.

There being no sufficient cause to believe the within named
guilty of the offense within mentioned, I order he to be discharged.
Dated 1892
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offense—BURGLARY.

1
2
3
4

Dated 1892

Magistrate.

Officer.

Clerk.

Witnesses.

No. Street.

No. Street.

No. Street.

\$ to answer General Sessions.

0648

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, { ss:

Martin Matzloff being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *Martin Matzloff*

Question. How old are you?

Answer. *18 Years*

Question. Where were you born?

Answer. *New York*

Question. Where do you live and how long have you resided there?

Answer. *Foot 66 Street & East River. 3 Years*

Question. What is your business or profession?

Answer. *Clerk*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer. *I have nothing to say
I am guilty.
Martin Matzloff*

Taken before me this
day of *November* 189*8*
Charles H. Deane
Police Justice.

0649

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Ten Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Apr 7 1882 Charles K. Luntz Police Justice.

I have admitted the above-named
to bail to answer by the undertaking hereto annexed.

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.

Dated _____ 188 _____ Police Justice.

0651

1399

Police Court--- *il* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

August Braum
Essex River # 66
Martin Matzdorf

1
2
3
4

[Signature]
Officer

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated *Nov 7* 18*92*

Sanitor Magistrate.

Long & Miller Officer.

25 Precinct.

Witnesses *Call Officer*

No. Street.

No. Street.

No. Street.

W. J. [Signature] to answer *G. S. [Signature]*

Comma *B. J. [Signature]* *364*

P. J. [Signature]

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Martin Matzdorf

The Grand Jury of the City and County of New York, by this indictment, accuse

Martin Matzdorf

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

Martin Matzdorf

late of the *19th* Ward of the City of New York, in the County of New York aforesaid, on the *twenty-fourth* day of *October*, in the year of our Lord one thousand eight hundred and ninety-*two*, with force and arms, in the *day* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

August Braun

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said *August Braun* in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

Martin Matzdorf

of the CRIME OF *Retal* LARCENY

committed as follows:

The said

Martin Matzdorf

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the Ward, City and County aforesaid, in the *day* time of said day, with force and arms,

the sum of twelve ^{*thirteen*} *dollars in money,*
lawful money of the United
States of America, and of the value
of twelve ^{*thirteen*} *dollars, one chain of the*
value of five dollars, one chain of
the value of four dollars, one key
of the value of ^{*fifty cents*} *one pair*
of earrings of the value of one
dollar, one brooch of the value
of one dollar, one tag bank of
the value of ^{*fifty cents*}
of the goods, chattels and personal property of one *August Braun*

in the dwelling house of the said

August Braun

there situate, then and there being found, from the dwelling house aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DeLaney Nicoll,
District Attorney

0653

BOX:

502

FOLDER:

4579

DESCRIPTION:

Mauth, George

DATE:

11/10/92



4579

Witnesses:

Andrew Schneller

Subpoena
Office

Counsel,
Filed
Plends,
1892

Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code.)

THE PEOPLE
vs.
George H. H. H.

DE LANCEY NICOLL,
District Attorney.
Sub 2 - in 19, 1902.
Trial, and Subpoena of
Assembly 2nd. English
5 P. 5 1/2.
A TRUE BILL. Dec. 1902
John E. Fallon

Foreman.

W. J. G.

0655

Police Court 2nd District.City and County } ss.:
of New York,of No. 495-10-Avenue Street, aged 24 years,
occupation Machinist being duly sworndeposes and says, that on the 30 day of October 1882 at the City of New
York, in the County of New York,he was violently and feloniously ASSAULTED by George Mauch

(now here), who did willfully and maliciously
cut and stab deponent, several times,
on the head, shoulder, and arm,
with a knife that he then and
there held in his hand, injuring
and wounding deponent severely

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without
any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 30 day
of October 1882.

Andrew SchnellerPolice Justice.

0656

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

George M. Smith being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is his right to
make a statement in relation to the charge against him; that the statement is designed to
enable him if he see fit to answer the charge and explain the facts alleged against him
that he is at liberty to waive making a statement, and that his waiver cannot be used
against him on the trial.

Question. What is your name?

Answer.

George M. Smith

Question. How old are you?

Answer.

42 years

Question. Where were you born?

Answer.

Germany

Question. Where do you live, and how long have you resided there?

Answer.

495 10th Avenue New York City 212th Street

Question. What is your business or profession?

Answer.

Private Messenger

Question. Give any explanation you may think proper of the circumstances appearing in the
testimony against you, and state any facts which you think will tend to your
exculpation?

Answer.

I am not guilty

George Hand

Taken before me this
day of *August* 1934

John M. Smith

Police Justice.

0657

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant

guilty thereof. I order that he be held to answer the same, and he be admitted to bail in the sum of Twenty Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.
Dated, March 1897 John H. Ryan Police Justice.

I have admitted the above-named _____
to bail to answer by the undertaking hereto annexed.

Dated, _____ 189 _____ Police Justice.

There being no sufficient cause to believe the within named _____
guilty of the offense within mentioned, I order he to be discharged.

Dated, _____ 189 _____ Police Justice.

0658

Police Court--2 District. 1382

THE PEOPLE, vs.
ON THE COMPLAINT OF

Andrew Schneller
George M. Haul

Assault
felony

2
3
4

Dated, *November 2* 189 *2*

Ryan Magistrate.
Goetger Officer.
Jo Precinct.

Witnesses *George Ruckel*
No. *448 W. 41* Street.

No. _____ Street.

No. _____ Street.

\$ *15.00* to answer

1500 E. Nov 6 - 10am

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

COURT OF GENERAL SESSIONS OF THE PEACE,
City and County of New York.

T H E P E O P L E,

-against-

GEORGE MAUTH.

Before

HON. RUFUS B. COWING,

and a Jury.

TRIED, NEW YORK, NOVEMBER 30TH, 1892.

INDICTED FOR ASSAULT IN THE FIRST DEGREE.

INDICTMENT FILED NOVEMBER 10TH, 1892.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY GUNNING S. BEDFORD,

For THE PEOPLE.

C. J. KING, ESQ.,

For THE DEFENSE.

0660

2

ANDREW SCHNELLER, the complainant, testified that, on October 30th, he lived at 495 Tenth Avenue, in this City, on the second floor, front room. There were three beds in that room, only two of which were occupied. The complainant and another man were already in bed, but the defendant had not yet come home--until half-past 11 or 12 o'clock at night. When the defendant came in, the complainant was asleep, and the defendant fell over his, the complainant's bed and woke him up. He appeared to be drunk. The complainant told the defendant to go away from his, the complainant's bed, and to leave him alone, and he would not go, and the complainant pushed him away. Then the defendant took out a knife, and commenced to cut the complainant, and mumbled something that he, the complainant, could not recollect. The defendant cut the complainant twice in the head, also on the arm, the shoulder and the hand. There were five cuts altogether. He, the complainant, was object to remain in the hospital four days. Although there was a light in the room, the

complainant could not see what the defendant cut him with. In

C r o s s - E x a m i n a t i o n .

the complainant testified that, before the defendant had cut him, he merely pushed him away, and not using much force; but when he commenced to cut him, he caught hold of the defendant forcibly. He did not throw the defendant down on the floor. After the cutting took place, and the complainant held on to the defendant, a Mrs. Phillips came into the room. The complainant could not tell how he held the defendant. When Mrs. Phillips came in he had already been cut. The witness was in the act of pushing the defendant away, when the defendant cut him. It was done so quickly that the witness could not see with what the defendant cut him, but he caught hold of the defendant immediately. The assault occupied about five minutes; that is, the time that elapsed from the time that the witness told the defendant to go away, until he received the cuts, was about five minutes altogether. In addition to Mrs. Phillips, Mr. Bickel came in. Bickel slept in the next

room, and when he came in, the fight was all over, but the witness was still bleeding. A lamp was burning in the room. After he was cut, the blood ran over his face, and he could not see distinctly. The fight ended by the witness pushing the defendant over upon his bed, and, at that time, Mrs. Phillips entered the room, and he called her attention to his wounds. The witness's and defendant's beds were close together. When Mr. Bickel came in, the witness went with him to a drug store, but the druggist would not attend to his wounds, and Mr. Bickel went for an ambulance and two policemen. The complainant left the defendant in the room on his bed, dressed. The witness subsequently saw the defendant in the station-house. The ambulance brought the witness to the station-house. There had been no quarrel between the witness and the defendant before the evening in question.

JOSEPH BICKEL, testified that he lived, now, at 448 41st Street, but on October 20th, he was living at 495 10th Avenue, in the City of New York. In the middle of the night or

early in the morning Mrs. Phillips woke the witness, who went into the room then occupied by the complainant and the defendant. He did not see the cutting but he saw the complainant bleeding. When he entered the room, the complainant was holding the defendant by the wrists. The witness was half asleep, and could not see what the defendant had in his hand, if anything.

OFFICER PATRICK GETZGER, testified that he was attached to the 20th Precinct. He was on duty on October 30th, and his official attention was called to 495 10th Avenue, in this City. He went into the room occupied by the complainant and the defendant, and found there the complainant, the defendant, Mrs. Phillips' husband. The complainant was covered from head to foot with blood. The defendant was asleep in bed, with his clothes on, under the influence of liquor. He was uninjured. The complainant was standing in the room by a bed. The witness woke up the defendant. The complainant and defendant were Germans. There was another person asleep in another bed, and the witness woke him up and asked

him if he knew anything about the matter, and he said no. The witness asked the defendant why he cut the complainant. The defendant said, about half-past 9 he was in front of the house. He had been shaking dice with three young men who had taken his watch, and he then came up and asked the complainant if he knew anything about it. The witness then arrested him, and, upon searching him in the station-house, found in his pocket a knife covered with blood. The witness identified the knife shown to him in court as the one found upon the defendant. When the knife, wet with blood was taken from the defendant, and the complainant accused him, in his, the defendant's presence, of having cut him, in the station-house, the defendant said nothing. In the police court he said to the Police Justice that somebody had taken the knife out of his pocket, and had used the knife on the complainant and returned it again to his pocket. The defendant subsequently admitted to the Judge that he was compelled to use the knife. The witness went to the hospital and saw the cuts on the complainant. They were pretty bad cuts. There were two in the left breast, with four stitches taken in

them. He was also cut on the right arm, and on both sides of the head. There was not a scratch on the defendant, but he was drunk when the witness arrested him. In

C r o s s - E x a m i n a t i o n .

the witness testified that the defendant was not so stupidly drunk that he could not move.

THE DEFENSE

ANNIE PHILLIPS, testified that she lived at 495 10th Avenue, and was married, and lived with her husband. She knew the defendant, who boarded at her house, 7, 8 or 9 weeks. She was also acquainted with the complainant, who had been boarding with her just two weeks on the Sunday that the assault took place. Between 11 and 12 on the night in question her attention was attracted by a noise, as of fighting on the floor, and she went to the room occupied by the complainant and the defendant, and she saw the complainant lying on the defendant's bed, hold-

ing the defendant's wrists, and had his right foot on the defendant's chest. She exclaimed, "My God, what are you doing?" and, at the same time, she called Bickel, who was sleeping in the next room, and she said, "Mr. Bickel, just get up and just look what those two men is doing." The complainant was bleeding when he came in, and the defendant was lying on his bed, and the defendant had his foot on the defendant's chest, and was holding his hands, and said to the defendant, "Let me see what you got in your hands." The defendant always grumbles to himself when he is drunk. He generally gets full on Sunday or Saturday night. In

R e - D i r e c t E x a m i n a t i o n .
the witness testified that she knew Joseph Kozinsky. He boards with her. He went to bed about half-past 9 o'clock. He was in the room at the time of the assault.

JOSEPH KOZINSKY, testified that he was a tailor. He slept in the room with the complainant and the defendant. He remembered the night in question. It was between 11

and 12 o'clock. The defendant came home and was grumbling to himself, but the witness did not understand what he was saying. Then the complainant jumped out of his bed immediately and hit the defendant in the face, so that he fell on his bed. Then the defendant got up from the bed, and he went up to the complainant and said, "Why did you hit me in the face?" Then the complainant hit him again in the face, so that he nearly fell. The complainant was on top of Mauth, and they were struggling together, on the bed, but the witness could not see what was in their hands. Then they let go of each other, and the complainant got up from the bed, and he was bleeding. Then the police came about 15 minutes afterwards. During the whole time the witness did not move out of his bed. There was a conversation between the officer and the defendant, but it was in English, and the witness could not understand what was said. In

C r o s s - E x a m i n a t i o n,
the witness testified that he slept in the bed in that room that night. The defendant was perfectly sober. He went to bed that night at 9 o'clock. He saw the

complainant bleeding.

GEORGE MAUTH, the defendant, testified, in his own behalf, that he came home between 11 and 12 o'clock. He had had his watch stolen and he asked the complainant if he had it. Then the complainant jumped out of his bed and said, "I will give you watch", and caught the defendant by the throat and threw him upon the bed, and put his knee on his chest or stomach, and commenced to beat him in the face. The defendant said "Stop this!" The complainant said, "No, I will destroy you", and then the defendant had to use the knife. The complainant had him, the defendant, by the throat when he used the knife, and he, the defendant, felt in danger of his life. In

C r o s s - E x a m i n a t i o n, the witness testified that he never had delirium tremens. When the complainant seized him by the throat, he, the defendant, was out of his senses, because the complainant held him in that manner. He denied that he

0669

11

stabbed his father in the old country. In

R e - D i r e c t E x a m i n a t i o n ,
the witness testified that the liquor that he drank had
nothing to do with his being out of his senses on the
night in question. He did not drink much that night.

0670

Bellevue Hosp.
Nov. 1st 92

This certifies that Andrew Schueller
is under my care at the above
Hospital, suffering from four incised
wounds viz: one of Right forearm - one
of left shoulder and two of head.
Geo. W. Thompson M.D.

0671

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

of No. 20th Precinct Police P. Frederick Goetzger

occupation Police Officer Street, aged years,

that on the 30 day of October being duly sworn deposes and says,

at The City of New York, in the County of New York, he arrested George Mauch (now here) on the charge of having committed a Felonious Assault upon the body of Andrew Sneller, by having cut and stabbed said Sneller with a knife that he then and there held in his hand, and that said Sneller is now confined to Bellevue Hospital in consequence of injuries received by said Assault, and is unable to appear in Court, deponent therefore asks that said Mauch may be held to await the result of injuries or until said Sneller can appear in Court.

Frederick Goetzger

Subscribed before me, this

of October 1892

1892

Police Justice.

Police Court. (117) District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Gerge (Mauk) vs.

AFFIDAVIT.

Andrew Cornell

Dated

October 31

188

Magistrate.

Officer.

Witness,

22

Disposition,

Held without bail to await
the result of injuries

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

George Maults

The Grand Jury of the City and County of New York, by this indictment, accuse

George Maults
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *George Maults*
late of the City of New York, in the County of New York aforesaid, on the *thirtieth*
day of *October* in the year of our Lord one thousand eight hundred and
ninety-*two*, with force and arms, at the City and County aforesaid, in and upon
the body of one *Andrew Schueler* in the peace of the said People
then and there being, feloniously did make an assault and *beat* the said
Andrew Schueler with a certain *knif*

which the said
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent *kill* the said *Andrew Schueler*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York and
their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *George Maults*
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms, in and upon the body of the said
Andrew Schueler in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *beat* the said *Andrew Schueler*
with a certain *knif*

which the said
in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully
and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case
made and provided, and against the peace of the People of the State of New York and their
dignity.

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

George Mearns

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

George Mearns

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said *Andrew Schueler* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and *him* the said with a certain *knife*, *Andrew Schueler*

which *he* the said

George Mearns

in *his* right hand then and there had and held, in and upon the *head, shoulder and arm* of *him* the said

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut ~~and~~ and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL, District Attorney.

0675

BOX:

502

FOLDER:

4579

DESCRIPTION:

Mayer, William

DATE:

11/28/92



4579

Witnesses:

William Mayer

*The Defendant is
then Case has died.
as shown by the
Answer Certificate,
The Defendant's
Witnesses.*

*Wm. Mayer
D. Adams atty.
Dec. 11/93.*

Counsel,

Filed,

Pleads,

Day of *Nov.* 189*3*

THE PEOPLE

vs.

William Mayer
Real
Real

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

John E. Farrell
Dec. 11/93

Foreman.

*Indulgent,
D. Adams*

VIOLATION OF THE EXCISE LAW.
[Chap. 401, Laws of 1892, § 33].
Selling, etc., on Sunday.

0677

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK ss:3
District Police Court.

William Meyer being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *William Meyer*

Question. How old are you?

Answer. *19 years.*

Question. Where were you born?

Answer. *Germany.*

Question. Where do you live and how long have you resided there?

Answer. *13 Munkel St.*

Question. What is your business or profession?

Answer. *Gas tender*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer. *I am not guilty*
William Meyer

Taken before me this

day of

189

Police Justice.

0678

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant

me guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of One Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Oct 22 1892 Sup. Mag. Police Justice.

I have admitted the above-named Defendant to bail to answer by the undertaking hereto annexed.

Dated October 24 1892 Police Justice.

There being no sufficient cause to believe the within named Defendant guilty of the offence within mentioned, I order he to be discharged.

Dated 18 Police Justice.

067

Police Court---

1344
District.THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joe Haggerty
William Meyer

officer
W. A. Green

BAILED.

No. 1, by *Merry Every*
 Residence *49th Street*

No. 2, by _____
 Residence _____ Street.

No. 3, by _____
 Residence _____ Street.

No. 4, by _____
 Residence _____ Street.

Dated

30/21

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

No.

to answer

*G. S.**Bailed*

0680

Form No. 51.

259

NEW YORK, Dec. 2, 1892

A Transcript from the Records of the Deaths Reported to the Health Department of the City of New York.

COUNTY OF NEW YORK.

STATE OF NEW YORK.

CITY OF NEW YORK.

CERTIFICATE AND RECORD OF DEATH

No. of Certificate,

39968

This is to certify that I, William Meyer Coroner, in and for the City and County of New York, have, this 18 day of Nov., 1892, viewed the body of deceased found at East 10th St. in the 7 Ward of said city and county; that I have held an inquest upon the said body, and that the verdict of the jurors is that he came to his death by Inquest pending.

Ferdinand Levy, Coroner.

I hereby certify that I have viewed the body of the deceased, and from 24 and evidence, that Said man died on the 18 day of Nov., 1892, at 8 P.M., and that the cause of his death was suicidal shot wound of the head about 6:30 P.M. Nov. 18/92, at 73 Market St. while suffering from Melancholia.

Place of Burial, St. Ann's ChurchDate of Burial, Nov. 20, 92Undertaker, J. H. ArmstrongResidence, 355 Bleeker St.

Wm. A. Conway, M. D.
Medical Attendant at Inquest.

Date of Death.	Name.	Age.	Color.	Single, Married, or Widowed.	Occupation.	Place of Birth.	How long in U.S. if foreign born.	How long resident in New York City.	Father's Name.	Father's Birthplace.	Mother's Name.	Mother's Birthplace.	Place of Death.	Place of Residence.	Class of Dwelling (A tenement being a house occupied by two or more families).	Direct cause of Death.	Indirect cause of Death.	Date of Record.
Nov. 17, 1892	William Meyer	19 years	W	Single.	Bookbinder	Germany	4 years	"	Ernest Meyer	Germany	Anna Meyer	Germany	East 10th St.	East 10th St.	23 Market St.	No cause.		Nov. 18, 1892.

A True Copy.

E. J. McManus

Chief Clerk

NOTICE.—In issuing this transcript of record, the Health Department of the City of New York does not certify to the truth of the record transcribed. The seal of the Board of Health attests only the correctness of the transcript, and no inquiry as to the facts reported has been provided for by law.

0681

Excise Violation-Exposing for Sale on Sunday.

POLICE COURT-3 DISTRICT.

City and County } ss.
of New York,

17

James Haggerty

of the

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 23 day

of October

1892 in the City of New York, in the County of New York, at premises No. 93 Street,

93 Street

William Meyer

(now here)

did then and there offer and expose for sale strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said

William Meyer

may be arrested and dealt with according to law.

Sworn to before me this 24 day

of

October 1892

James Haggerty

Police Justice.

0682

District Attorney's Office.

10th May
Defendant
Lead
See back
Certificate
inside

Court of General Sessions of the Peace

1997

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

William Mayer

The Grand Jury of the City and County of New York, by this indictment, accuse
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND
BEER ON SUNDAY, committed as follows:

The said

William Mayer

late of the City of New York, in the County of New York aforesaid, on the day of *October* *23rd* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

William Mayer

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0684

BOX:

502

FOLDER:

4579

DESCRIPTION:

Mazzucco, Francesco

DATE:

11/11/92



4579

0685

Witnesses:

John J. Murphy
Dennis Brunner

Counsel,

Filed, 11 Nov 1892

Pleads, Guilty - 12

THE PEOPLE

3rd Ward
3rd Precinct

Francisco Magness

H.D.

RECEIVING STOLEN GOODS.
(Section 550, Penal Code.)

D. LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Foreman

Part. 3, Nov. 1892

Trices, and convicted

with receiving stolen goods

with

0686

Police Court Hurd District. Affidavit—Larceny.

City and County }
of New York, } ss:

of No. 61 Hudson Street, aged 20 years
occupation Shipping Clerk being duly sworn,

deposes and says, that on the 4 day of November 1892 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the day time, the following property, viz:

one barrel on classes, 105 bags of flour, one
barrel of Rice, one barrel of Sugar, and
other groceries of the amount and value
of about Four Hundred dollars

the property of Austin Nicholl & Co. Carpenters

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by William Murdoch
(now present) Deponent says that said defendant
is a Cannan and received the above
described property to deliver to divers
persons in divers streets in said City
and deponent has been notified that
the divers persons has not received
the property that has been consigned
to them, and deponent is further informed by
Albert Edwards, Defendants employer that
he did not return the team of horses
and truck attached, or any of the property
to the stable on the night of the aforesaid
date as was his duty. Deponent is further
informed by Thomas Fleckey a British Sergeant

Sworn to before me, this
of 1892 day
Police Justice.

that he found concealed one barrel of sugar, one barrel of rice concealed in the dwelling apartment of Francisco Mazutka which is ⁱⁿ the rear of his store no 82 Mulberry Street in said City. Dependent further says that said Hickey found 28 bags of flour ^{and} a quantity of flour in a barrel also one bag of oat meal, ^{and} one bag of trine in the store and back room attached thereto occupied by Mazutka.

Wherefore dependent charges said Munday with feloniously taking said property and Francisco Mazutka with feloniously receiving the same he well knowing that the same had been feloniously stolen.

Sworn to before me J. J. Murphy
 This 7th day of Nov 1892
 J. J. Murphy Police Justice

0588

Police Court, 3 District.

City and County } ss.
of New York,

of No. 126 Hester Street, aged 24 years,
occupation Peeler being duly sworn, deposes and says,
that on the 4 day of November 1893 at the City of New

York, in the County of New York, the defendant William
Murdock with whom deponent
had a slight acquaintance, came
to deponent in front of deponent's
residence at 126 Hester Street,
driving a truck containing
merchandise. He asked deponent
if deponent could sell the goods
which he had on the truck and
deponent replied that he could
not sell them. He then secured
another man who was just passing
by and made some arrangement
with the unknown man and then
requested deponent to accompany
him defendant, to help him to
unload the goods. Deponent ac-
companied defendant to 87 Mulberry
Street. Deponent remained outside
and defendant and the unknown
man went into the house and
they had a conversation with the
Italian who is now here and then
after a few minutes conversation
deponent, and Murdock and the
unknown man carried the goods
from the truck into the store aforesaid.
Defendant then asked deponent to
go to 356 Washington Street and
tell the persons there that the
driver of the truck is drunk and
that the truck could be found
corner of Vestry and Washington Street.
Dennis Brennan

Sworn to before me on

4th Nov 1893

Police Officer

0689

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY { ss:
OF NEW YORK,

William Mundeck being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

William Mundeck

Question. How old are you?

Answer.

35 years

Question. Where were you born?

Answer.

U. S.

Question. Where do you live and how long have you resided there?

Answer.

17 1/2th Ave. E. 1 year

Question. What is your business or profession?

Answer.

Truck driver

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer.

I was intoxicated and did not know what I was doing

Wm Mundeck

Taken before me this

day of

Nov 7

1892

Police Justice.

0690

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Francis M. Mazuka being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

Francis Mazuka.

Question. How old are you?

Answer.

29 years.

Question. Where were you born?

Answer.

Italy.

Question. Where do you live and how long have you resided there?

Answer.

82 Mulberry St. 7 years.

Question. What is your business or profession?

Answer.

Work with a brush cart.

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer.

I am not guilty.

Francis Mazuka

Taken before me this
day of *May* 189*9*

Police Justice.

[Signature]

0691

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named William Hudach Francisco Mazuka guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 100 Hundred Dollars, Each and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Nov 7 1892 [Signature] Police Justice.

I have have admitted the above-named Francisco Mazuka to bail to answer by the undertaking hereto annexed.

Dated, Nov 7 1892 [Signature] Police Justice.

There being no sufficient cause to believe the within named Francisco Mazuka guilty of the offense within mentioned, I order he to be discharged.

Dated, Nov 7 1892 [Signature] Police Justice.

1400

Police Court, District.
HOUSE OF DETENTION CASE
ON THE COMPLAINT OF

John C. Murphy
61 vs. Madison St.
Francisco Maguila

Offense, *Carrying*
receiving stolen property

3 separate
4 indictments

Dated, Nov 7 1892

E. Hogan Magistrate.
Hickey & Lanthier Officer.
C O Precinct.

Witnesses Thomas Hickey
George Lanthier
No. 380 Mulberry Street.
Albert Edwards

No. 25 Barran Street.
Benn. Brannon Committee
House of Detention in default
No. 100 N. 1st St.

\$ 1000 to answer

COM

No 1
No 2
No 3
No 4
No 5
No 6
No 7
No 8
No 9
No 10

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

Residence

Thomas Hickey of the Court
officer arrested James Murphy
now present in complaint of Francis
Maguila one of the defendants, the
said Maguila stating that said
Murphy was in company with
Hendrick. They are being suffered
evidence to hold him and Murphy
I order him to be discharged
Police Justice

0693

District Attorney's Office,
CITY AND COUNTY OF NEW YORK.

Nov 9 1897

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir: I am

I desire to see Officer

attached to your command in

in relation to the case of

Francisco Mazuko, R.S.

sentenced Nov 18/97 to

years and months imprisonment by

Recorder Smith

Please ask the officer to bring such information in relation to the case, and as to the previous record of the prisoner, as he may be enabled to obtain.

Yours truly,

HENRY W. UNGER,

Deputy Assistant and Secretary to the District Attorney.

2

DENNIS BRENNAN, a witness for the People, sworn, testified:

I saw Murdock on the 4th of November . He was driving a truck through Mulberry street; there was flour, sugar, rice &c. on the truck. He had a conversation with another party and then the other party took possession of the truck. He then asked me if I wanted to make a half a dollar. I then helped him unload the truck. I took some of the things into the store of the defendant. A barrel of mollasses was among the things taken into the rooms of the defendant. The defendant was present at the time these things were brought into the store. All the conversation I heard was in relation to two dollars for a barrel of something. I do not know what it was . At Murdock's request I drove the truck to the place where it was found . I went down to the stable and told Mr. Edwards where his truck was . Murdock asked me to do this. I went to a detective and told him all I knew about this matter.

CROSS EXAMINATION:

I was convicted of taking a watch in 1888. I only saw Murdock two or three times before this occurred.

THOMAS HICKEY, a witness for the People, sworn, testified:

I am a detective sergeant attached to the Central office. I went to the defendants place of business on the day after this larceny. I found 28 bags of flour, and some more flour in a barrel. These things were identified by Murphy as part of the property placed on Murdock's truck. The defendant's wife showed me all the things the men had put into the store. Some of it was in a bedroom.

3

Murdock was arrested, indicted and haspleaded guilty. I have no recollection of the defendant giving me any paper or saying he was waiting for the bills of these goods.

D E F E N C E .

FRANCESCO MAZZUCCO, a witness for the Deft. Zsworn, testified:

I was born in Italy . I am in this country eleven years. I sell peanuts. My father in law keeps the store where these things were found . I was present when the things came in . I did not know the goods were stolen. We bought them from the man and he was to send a bill for them on Monday . This was a Saturday afternoon. I told the man that I did not want to take the goods without a bill . If I had any idea that the goods were stolen I would not have taken them in . When the detectives came I gave him a piece of paper which I said was given to me by the man who left the goods.

CROSS EXAMINATION:

I did not see the men putting in the goods at first. I did not have any talk with the men before they were put in. There were about 28 or 30 bags of flour brought in . There are five persons sleeping in the rooms back of the store.

MICHAELINA MAZZUCCO, a witness for the People, sworn, testified:

I am the wife of the defendant . I was in the store on the afternoon when these things were brought there. The men pushed the things into the store without saying a word . Then we asked them for a bill and they

said they would bring it on Monday. My husband is out most o the time selling peanuts . He does not own this store. M' father owns the store . He is not here.

CROSS EXAMINATION:

I was there when the men brought the goods in. They did not ask any price at all . We had no quarrell over th price. I did not see any pice of paper given by the men.

PASQUALINA NAVIGATO, a witness for the People, sworn, testified:

I am 12 years of age . I was near the store the day these goods were brought in . The men said to the defendant "Do you want to buy these goods" and he said "No". Then the three men chucked everything inside of the store. The woman asked them to give her a bill; and they said they would bring it to her M^unday. The woman did not get the bill and she started to throw the things out again. I did not see the owner of the store there at the time.

DOMINICO LAPRO, a witness for the People, sworn, testified:

I am a banker and have my office in City Hall Place . My son is a priest . He is not here . I know the defendant for some years . His character and that of his people for honesty is good.

The jury returned a verdict of guilty with a recommendation to the mercy of the Court.

Indictment filed Nov. 11-92

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

FRANCESCO MAZZUCCO.

Abstract of testimony on
trial, New York November
1892.

0698

0699

CITY AND COUNTY } ss.
OF NEW YORK.

POLICE COURT, 3 DISTRICT.

of Thomas Hickley
Central office Police Street, aged years,
 occupation

being duly sworn, deposes and says
that on the day of 189

at the City of New York, in the County of New York Dennis Barrigan

 is a necessary and
material witness against William
Murdoch and Francisco Maguila charged
with Larceny and receiving stolen
property and deponent asks that
he give surety for his appearance
to testify

Thomas Hickley

Sworn to before me this
of 189

(my)

Police Justice.

0700

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 35 years, occupation Detention Sergeant of No. Central Prison Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of John G. Murphy and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 17 day
of July 1892

Thomas Hickley

[Signature]

Police Justice.

0701

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 92 years, occupation Truckman of No. 25 Barrow Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of John J. Murphy and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 17 day
of Nov 1898

Alfred Edwards

Alfred Edwards
Police Justice.

0702

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Francesco Mazzucco

The Grand Jury of the City and County of New York, by this indictment accuse

Francesco Mazzucco
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Francesco Mazzucco*

late of the City of New York, in the County of New York aforesaid, on the *fourth*
day of *November* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms,

one barrel of molasses of the value
of thirty dollars, one hundred and five
bags of flour of the value of two
dollars each bag, one barrel of rice
of the value of ten dollars, one barrel
of sugar of the value of twenty
dollars, and divers other goods,
chattels and personal property of a
more particular description (whereof
is to the Grand Jury aforesaid unknown)
of the value of two hundred dollars
of the goods, chattels and personal property of one *James E. Nichols*
by one *William Murdoch*, and
by certain *other* persons to the Grand Jury aforesaid unknown, then lately
before feloniously stolen, taken and carried away from the said *James E. Nichols*

unlawfully and unjustly did feloniously receive and have; the said

Francesco Mazzucco

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away; against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0703

BOX:

502

FOLDER:

4579

DESCRIPTION:

McAleer, Owen

DATE:

11/21/92



4579

Witnesses:

Der R. Colan

Counsel,

JH

Filed, 21st day of Nov 1892

Pleas,

Argued vs

THE PEOPLE

vs.

B

Owen Mc Clell

VIOLATION OF THE EXCISE LAW.
[Chap. 401, Laws of 1892, § 32].
Selling, etc., on Sunday.

Transferred to the Court of Sessions for trial and final disposition.

Capt 2 13

DE LANCEY NICOLL.

District Attorney.

A TRUE BILL.

John E. Quinn

Foreman.

Court of General Sessions of the Peace

1997

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Owen McAllee

The Grand Jury of the City and County of New York, by this indictment, accuse
of the CRIME OF *Owen McAllee* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND
BEER ON SUNDAY, committed as follows:

The said

Owen McAllee

late of the City of New York, in the County of New York aforesaid, on the *28th*
day of *August* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against
the form of the statute in such case made and provided, and against the peace of the People of
New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

Owen McAllee

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,
WINES, ALE AND BEER, committed as follows:

The said

Owen McAllee

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of
a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and
expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the
form of the statute in such case made and provided, and against the peace of the People of the State
of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0706

BOX:

502

FOLDER:

4579

DESCRIPTION:

McAuliffe, Timothy

DATE:

11/25/92



4579

0707

POOR QUALITY
ORIGINAL

283

Counsel,

Filed, 25th day of Nov 1892

Pleads, Guilty

THE PEOPLE

vs.

B

Timothy Mc Auliffe

Indictment
returned by the Grand Jury
of the County of Albany
at the Court of Special Sessions,
and final disposition.

Albany 1892

VIOLATION OF THE EXCISE LAW.
Selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 93].

DE LANCEY NICOLL.

District Attorney.

A TRUE BILL.

John E. Fournier

Foreman.

0708

POOR QUALITY
ORIGINAL

Witnesses:

Michael Gannon Jr. 27th

Counsel,

Filed, *27* day of *Nov* 189

Pleas,

THE PEOPLE

vs.

John A. ...

[Signature]

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

John E. ...

Foreman.

VIOLATION OF THE EXCISE LAW.
Selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 22]

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Timothy Mc Aubuffe

The Grand Jury of the City and County of New York, by this indictment, accuse

of the CRIME OF *Timothy Mc Aubuffe* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

Timothy Mc Aubuffe

late of the City of New York, in the County of New York aforesaid, on the day of *November* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to ~~one~~

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

of the CRIME OF *Timothy Mc Aubuffe* OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Timothy Mc Aubuffe

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0710

BOX:

502

FOLDER:

4579

DESCRIPTION:

McCabe, Edward

DATE:

11/25/92



4579

0711

Witnesses:

Off. John W. Carter

296

Counsel,

Filed, *25th* day of *Nov* 189*2*

Pleads,

Wm. H. 24

THE PEOPLE

vs.

B

Edward McCall

VIOLATION OF THE EXCISE LAW.
Selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 82.]

April 7 1893

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

John E. Dutton

Foreman.

07 12

1897

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Edward McCabe

The Grand Jury of the City and County of New York, by this indictment, accuse

of the CRIME OF *Edward McCabe* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

Edward McCabe

late of the City of New York, in the County of New York aforesaid, on the day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~ *168*

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

of the CRIME OF *Edward McCabe* OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Edward McCabe

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0713

BOX:

502

FOLDER:

4579

DESCRIPTION:

McCabe, Sylvester

DATE:

11/10/92



4579

0714

BOX:

502

FOLDER:

4579

DESCRIPTION:

Mullins, Michael

DATE:

11/10/92



4579

0715

BOX:

502

FOLDER:

4579

DESCRIPTION:

McGinness, John

DATE:

11/10/92



4579

0716

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

U.S.

Robbery,	Degree.
<i>2nd</i>	<i>2nd</i>

(Sections 224 and 225, Penal Code.)

Sylvester McCabe
Michael Mullins
John McGinness

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman

Part 3, Dec 23. 1892
 Nov 25
 all discharged on their
 verbal recognition

0717

POOR QUALITY
ORIGINAL

Witnesses:

Mellie Smith
Mrs an ex-aminator
meat in this case and
from the further fact that
upon the former Mrs she
has been strongly in favor
of acquittal. James McNamee
the discharge of defendants
upon their own recognizance.
Nov 28 92. Robert Forman
Deputy

James Forman
testimony in the
case as brought out
regarding the trial. Mrs
McNamee the discharge
of John Mc Guinness
upon his own re-
cognizance and the
discharge of the
rest of the case with the
alleged robbery or larceny
Nov 20 92
James Forman
Deputy

Counsel,

Filed 10 day of 1892

Pleads,

THE PEOPLE

Sylvester Mc Carlin
Michael Mulline
and John Mc Guinness

Deputy
of the 2nd and 3rd
of the 1st and 2nd

DE LANCEY NICOLL

District Attorney

A TRUE BILL

John E. Carroll

Foreman

James Forman
Deputy

0718

THE PEOPLE

COURT OF GENERAL SESSIONS, PART I.

vs

BEFORE JUDGE FITZGERALD.

SYLVESTER McCABE
and
MICHEAL MULLINS,
jointly indicted with
JOHN McGINNESS.

Friday, November 25, 1892.

Indictment for Robbery in the first degree.

A Jury was empannelled and sworn.

Assistant District Attorney Osborne, for the People.

Mr. Ware, for the Defendant.

JOHN GILLOW, sworn and examined:

By Mr. Osborne: Q. What is your name did you say, John Gillow?

A. Yes, sir, Gillow.

Q. Where do you live?

A. 145 Cherry street.

Q. Are you in business in this city?

A. No, sir.

Q. What do you do?

A. Seaman.

Q. Do you remember the 2nd of November, 1892, this last year?

A. Yes, sir.

Q. Do you remember in the night time starting to visit some friends of yours on Cherry street?

A. Yes, sir.

Q. Where were you going on Cherry street?

A. I was on

my way, about half-way between Market and Catherine, walking along, I was going home then to 145 Cherry street.

Q. Did you that evening meet a woman named Nellie Smith?

A. Yes, sir.

Q. Do you know Nellie Smith?

A. Yes, sir.

Q. What time in the evening was it?

A. Between

seven and eight, about half-past seven as near as I can tell.

Q. What property did you have in your pocket at the time you

met Nellie Smith?

A. I had a watch and chain and

about twelve dollars.

Q. You are sure of that, are you?

A. Sure.

By the Court: Q. In what money?

A. Paper money.

By Mr. Osborne: Q. Now, then, state what you recollect about this matter, what was the value of the watch and chain?

A. Thirteen dollars the watch, and Four dollars and a half I paid for the chain.

Q. In all you had property on your person of the value of twenty-six dollars?

A. Yes, sir.

By the Court: Q. Where was your watch?

A. In the vest pocket.

Q. In the lower vest pocket?

A. Yes, sir.

Q. The chain was attached to that, wasn't it?

A. Yes, sir, but they broke it.

Q. Attached to the buttonhole of the vest in the ordinary way?

A. Yes, sir.

Q. Where was the twelve dollars in money, what pocket was that in?

A. In the right hand pocket.

Q. In the right hand pocket of your trousers?

A. Yes, sir.

By Mr. Osborne: Q. Where did you meet Nellie Smith?

A. I met her up in her mother's.

Q. Where does she live, 121 1/2 Cherry street?

A. Yes, sir.

Q. You started out with her to go to your home 145 Cherry street?

A. Yes, sir.

Q. State what you recollect then?

A. As I was going along I felt some one coming along and taking hold of my arm and throwing me down on my knees, and I felt some one going through my pockets with there hands and at the same time Nellie Smith hallooed. I knew they were going through me; I heard people crying out at the

time; there was a man come along and with that they let go and the man picked up a piece of the chain. I got up, I felt my pocket and everything was gone. That is all I know about it.

Q. You did not see the defendants at all? A. No, sir.

Q. You would not recognize them again? A. No, sir, I would not recognize them.

By the Court: Q. Did you see enough of them to tell whether they were men or women? A. I could tell they were men.

Q. Did you see them? A. I saw them in mens dress.

By Mr. Osborne: Q. You know that they were dressed in mens clothing? A. Yes, sir.

By the Court: Q. How many were there? A. I could not tell whether there was three or four, there was more than one.

Q. Twelve dollars was taken? A. Yes, sir.

Q. A part of the chain was picked up? A. Yes, sir.

Q. Have you got that with you? A. No, the witness has got that.

Q. You have seen it, have you? A. He showed it to me..

Q. You recognized it a a piece of your chain?

A. Yes, sir.

CROSS EXAMINATION:

By Counsel: Q. What time did you leave your boarding house that morning? A. I did not leave it in the morn-

ing, I left it after breakfast.

Q. Where are you stopping? A. 145.

Q. Cherry street? A. Yes, sir.

Q. And where did you go when you left the house?

A. I went down to South street.

Q. What did you go down for? A. To look to see if I
couldn't get employment.

Q. Did you go in any saloons that day? A. Oh, yes.

Q. You drank a good deal, didn't you?

A. Yes, sir, considerable.

Q. What did you have on you when you started down in the morn-
ing? A. I had about sixteen or seventeen
dollars.

Q. Where did you get that? A. From what I worked for.

Q. Did you have any property beside our money?

A. I had the watch.

Q. What kind of a watch? A. Silver watch.

Q. You had one watch? A. One watch.

Q. Didn't have two watches? A. No, sir.

Q. Did you have a pawn-ticket for a watch? A. No, sir.

Q. What time did you go to 121 Cherry street?

A. About seven o'clock.

Q. That evening? A. Yes, sir.

Q. How did you know it was seven o'clock?

A. Because I had the time with me.

Q. You were pretty drunk at that time?

A. Well, considerably.

Q. Do you know where you were before you went to 121 Cherry
street?

A. I do not know exactly the saloons,
I was in several saloons.

Q. Down in Cherry street? A. No, none in Cherry street.

Q. In that part of the city? A. No, sir, not in that
part of the city.

Q. Where were you? A. On South street.

- Q. South street? A. Yes, sir.
- Q. Where did you go in South street? A. I was down to Old Slip, corner of Old Slip.
- Q. Do you recollect any of the saloons that you went into there? A. No, I am not acquainted with any of the saloons, I went into a good many of them.
- Q. You drank at all these places? A. Yes, sir.
- Q. You do not even recollect the places that you went into? A. No, sir, I do not remember.
- Q. But you do remember going into different saloons and drinking? A. Yes, sir, I do remember going into different saloons.
- Q. What happened after you got into 121 Cherry street? A. We sat down and some one sent for the beer; I drank some beer.
- Q. Who paid for the beer? A. I do not remember who paid for it, I am sure it was given to me, they treated me there.
- Q. Do you recollect at that time having any money in your pocket? A. Oh, yes.
- Q. How do you know you had? A. Because I had it before I went in there.
- Q. Were you asked to treat in that saloon? A. I don't remember any one asking me to treat.
- Q. Did you treat? A. No, I don't think I did.
- Q. Do you know why you did not treat? A. Because I was not asked to.
- Q. Wasn't it because you didn't have a cent in your pockets? A. No, sir, it was not.
- Q. Why did you leave 121 Cherry street, what did you want to go home for? A. Because I thought it was the best

place for me.

Q. What time in the evening was this?

A. This was about seven o'clock, I judge, when I left there it was about half past seven.

Q. You are positive of that? A. Not positive to a minute, but about that.

Q. Was anybody with you when you left? A. Yes, sir.

Q. Who? A. Nellie Smith.

Q. Any one else? A. Yes, sir, there was another girl walking with her.

Q. One on each side? A. Yes, sir, one on each side.

By the Court: Q. What is her name? A. I do not know, sir, she was a stranger to me.

By Counsel: Q. Did you have an over-coat on? A. Yes, sir.

Q. Did you have your watch still in your pocket?

A. Yes, I had my watch when I left there.

Q. How did you know? A. Because I felt it.

Q. Do you mean to say you felt for your watch?

A. I seen the chain.

Q. Did you put your hand in your pocket?

A. No, I did not put my hand in my pocket. I swear it was when I went in and when I came out because the chain was hanging there.

Q. You saw the chain? A. Yes, sir.

Q. You couldn't swear the watch was in your pocket?

A. Yes, sir, it was; no one attempted to take it out.

Q. You were so drunk if any one had attempted to take it you wouldn't have known it? A. Yes, I would.

Q. What happened when you left 121 Cherry street?

A. Nothing occurred except when I got a third of the way

up some one came behind me.

Q. You are familiar with that part of the city, you have often been in there before? A. Yes, sir.

Q. Do you know a large hole near the steps, there is a large hole where the flagging has been torn and broken?

A. I noticed it.

Q. You do not remember falling into that? A. No, sir.

Q. Didn't you fall after you got out of 121 Cherry street?

A. After they got hold of me.

Q. Did you fall down along the steps at 121 Cherry street?

A. No, sir, I do not remember falling down.

Q. I ask you if you did? A. I do not remember falling down, not to my knowledge.

Q. Were you so drunk that you would not remember?

A. I was not so very drunk but I was weak from being in the hospital, I had just previous to that come out of the hospital suffering with rheumatism, the Staten Island Hospital, the Marine Hospital, I had been down five months with the rheumatism.

Q. When you left 121 Cherry you say you walked up Cherry?

A. Up Cherry street towards Market.

Q. Who was with you at that time? A. Nellie Smith and this other strange girl, I don't know her name.

Q. Did they have hold of you? A. One of them had hold of me, I believe it was Nellie Smith, she had hold of me.

Q. Well, did you get up to 145 Cherry street all right?

A. I got there after a good deal of trouble.

Q. What was the trouble? A. After that pulling me around.

Q. Who pulled you around? A. I cannot say who it was.

Q. Might it not have been the girls who had hold of you?

A. No, sir.

Q. Could it not have been your staggering, you were so drunk?

A. Oh, no, sir, I was not so very drunk as that.

Q. You taled about some one pulling you around, when did that happen?

A. When I got up a bout a third of way from Cherry towards Market I judge.

Q. Can't you describe what happened?

A. Nothing more than I have just said, some one came from behind and took my arm and so pressed me down I went on my knees.

Q. Did you fall down then in the street?

A. I fell down on my knees where they grabbed me, they grabbed me from behind.

Q. Do you know whether you had that watch at that time?

A. I didn't look particularly at that moment. to see if I had it; but I know I had it when I left Mrs. Smith's, I saw the chain across my vest.

Q. Come back to Mrs. Smith's; don't you remember being asked in there to buy some beer?

A. I don't remember any one asking me to buy beer there.

Q. Isn't it a place where they sell beer?

A. No, sir, I

never bought any beer there.

Q. Don't you know that they drink beer?

A. Yes, they

drink beer there, I drank beer there myself, I paid for it there when they have had a can and went out for it.

Q. Didn't they ask you for some money to go and get beer?

A. I don't remember.

Q. Don't they always ask you -----

Objected to.

A. No, they don't always.

By the Court: Q. You say what?

A. I have given them money to go out and bring beer in.

Q. And this night you say you do not remember doing it?

A. No, sir.

By Counsel: Q. You do not remember saying you did not have any money and you would go up to your boarding house and get some?

A. Never in my life said such a word, no, sir.

Q. After your arms was grabbed as you say about a third of the way up the street to 145, you fell on your knees; did you see anybody?

A. I saw these parties in front of me, two or three, I would not be sure whether it was two or three was in front of me at the time of the refilling of my pockets.

Q. Can you swear that you saw those two boys?

A. No, sir, I can't swear that I saw them.

Q. What makes you think that those boys were the boys?

A. I don't think at all about it, I ain't thinking it was them.

Q. When you got to 145 Cherry street what did you do?

A. I went in and sat down and told what had happened and they said to have them arrested and I said, "Never mind, let them go."

Q. To have who arrested?

A. The boys; I said, "As I don't know them what is the use of having them arrested, I can't tell them," and with that they sent for a (what do you call him?) detective, and I thought it would detain me too long, I should have been away. It was at this time they persuaded me I had better have them arrested and I done so.

Q. You do not know who it was grabbed you?

A. I do not know the parties, no, sir.

Q. Do you know whether they were boys or men?

A. I only heard, I could tell they were boys or men, it was in the night-time there; they had men's figures, that is all.

Q. When you went into 145 Cherry street you sat down on the lounge?

A. Yes, sir.

Q. You went to sleep? A. Not right off.

Q. Didn't you spend the night on the lounge?

A. Not that night.

By the Court: Q. What time were those boys arrested, do you know, that night or the next day?

A. The next day I believe they told me.

Q. When did you see them first? A. I saw them first at the police station.

Q. You say you went to the police station; when did you go there? A. I went on the evening of the third.

Q. This occurred on the second? A. Yes, on the second.

Q. Did you see any one in the station house on the evening of the third that you recognise now? A. Yes, sir.

Q. That one? A. That one with the black neck-tie.

The Court: What is his name?

Counsel: McCabe.

By the Court: Q. That was the first time you saw him to identify him?

A. Yes, sir.

Q. When did you see the other boy? A. In this court, the first time I saw him some days ago he was in the box.

By Counsel: Q. And did you go to identify this man in the station house?

The Court: My question was, what was the first time that he saw him to remember him. He does not say he identifies him; nothing of the kind.

NELLIE SMITH, sworn, and examined:

By Mr. Osborne: Q. Nellie Smith, you live at 121 1/2 Cherry street,

with your mother?

A. Yes, sir.

Q. Your mother keeps a boarding house there?

A. A candy store.

Q. Keeps a candy store?

A. Yes, sir.

Q. You know the complainant in this case, John Gillow, do you?

A. Yes, sir.

Q. How long have you known him?

A. I don't know

him very long, when he comes in mama's house.

Q. Do you remember the evening of November 12, 1892, going home with him?

A. Yes, sir.

Q. Did he come to your house?

A. Yes, sir.

Q. About what time did he come there?

A. About a quarter to six.

Q. And did he stay some time in your house?

A. He stayed a little while, not very long.

Q. Half an hour?

A. About half an hour.

Q. At that time he was intoxicated, was he?

A. Yes, sir, very intoxicated.

Q. You and another girl started to take him home?

A. Yes, sir.

Q. What is the name of the other girl?

A. Ellen Winne.

Q. How old are you?

A. I will be fifteen the 1st of September next.

Q. At the time you were at 121 1/2 Cherry street did you see the two defendants?

A. Yes, sir.

Q. Was there anybody else with them?

A. Yes, sir, the other boy, John McGinness.

Q. Three of them?

A. Yes, sir.

Q. Where were they when you first saw them?

A. At 123 Cherry street.

Q. They were standing on the side-walk?

A. They were standing on the stoop.

Q. You started at 121 1/2 Cherry street with the complainant?

A. Yes, sir.

Q. You were on one side of him and that girl Winne was on the other?

A. Yes, sir.

Q. Did you notice what these boys did?

A. No, sir, we got to 145 Cherry street.

Q. Were the boys there when you got there?

A. They

followed us.

Q. They followed you?

A. Yes, sir.

By the Court: Q. Three or two or what?

A. Three.

By Mr. Osborne: Q. Mullins, and what is the other name?

A. Sylvester McCabe.

Q. And McGinnies, they were there?

A. Yes, sir.

Q. Did any of the boys say anything to you?

A. Only Mike Mullins.

Q. And what did Mike Mullins say?

A. He said that he

wanted his "chuck."

Q. What did you say to him?

A. I said to him, "You

can't get no chuck off this man."

Q. What happened to the complainant about that time?

A. One boy held his hand.

Q. Before he held his hand did he fall down or stand up or what?

A. His knee bent, he bent his knees.

Q. Who did, the complainant, Mr. Gillow?

A. Yes, sir.

Q. He fell on his knees, did you say?

A. Yes, sir.

By the Court: Q. Did he fall on his knees or bend?

A. He fell when he was going up the stoop.

By Mr. Osborne: Q. Going up the stoop of 145 he fell?

A. Yes, sir.

Q. State what these boys did, what did Mullins do?

A. He had his hand in the left pocket.

Q. He put his hand in the left hand pocket of the complainant?

A. Yes, sir, the vest pocket.

Q. What did McCabe do?

A. McCabe only held his hand behind his back.

Q. Did you notice whether Mullins took anything out of his pocket or not?

A. I do not know, I do not know if the man had something or not.

Q. You saw him put his hand in his pocket?

A. Yes, sir.

Q. Did you notice anything about the complainant's Gillow's watch?

A. I do not know if he had a watch or not.

Q. You do not?

A. No, sir.

Q. Then what did you do?

A. I ran inside to the lady of the house.

Q. What did McGinness do, did he do anything?

A. I did not see him do nothing.

Q. So far as McGinness is concerned you do not know that he did anything?

A. No, sir, I ran in the house.

Q. Did you halloo?

A. Yes, sir.

Q. And did Mullins do anything to you?

A. No, sir.

Q. Did any of the boys hit you, strike, or push you?

A. Mike Mullins hit me in the side.

Q. What did he say?

A. He said he wanted his "chuck."

Q. What did he say if you did not let him have his "chuck?"

A. If I did not let him get his "chuck" he would murder

me.

Q. What did the other girl do? A. She was standing on the stoop, she saw more of it than I did as I went inside.

Q. Did you see a man by the name of Swen Pertesen?

A. Yes, sir.

Q. Is he in Court now?

A. Yes, sir.

Q. Did he come out? A. Yes, sir, him and his wife came out when I halloped.

Q. Came out of the house 145 Cherry street? A. Yes, sir.

Q. That is all you know about it? A. Yes, sir.

CROSS EXAMINATION:

By Counsel: Q. Nellie, when this man Gillow was in your place with your mother, yourself, and the other girl, did you have any beer? A. I do not know, sir, I was working.

Q. You were not there? A. No, sir.

Q. When did you come in there? A. I came in about quarter past six. Mama said, "Take this man up to his boarding house, he wants to go home."

Q. What did you do? A. Me and this other girl we took the man up to the boarding house.

Q. Was that a quarter past six? A. Yes, sir.

Q. You are sure of that? A. Yes, sir.

Q. Was it day-light? A. It was just getting dusk.

Q. It was not dark quarter past six? A. No, sir, not very dark.

Q. While you were there ---- when you came in 121 1/2 Cherry street, who was there? A. My mama, Mr. Gillow, and old lady Bessie Madden, and Nellie Winnne.

Q. How long were you there before you left with Gillow?

A. We were in the house about fifteen minutes.

- Q. You must have got there about six o'clock? A. Yes, sir.
- Q. And he was there? A. Yes, sir.
- Q. Could you hear anybody call for ----ask Gillow to send out for beer? A. No, sir.
- Q. Were you drinking any beer? A. No, sir.
- Q. There was not any beer there? A. No, sir, there was no beer.
- Q. Nobody was drunk? A. No, sir.
- Q. Gillow was drunk? A. Gillow was very intoxicated.
- Q. He was intoxicated? A. Yes, sir.
- Q. Still nothing was drunk there?
- A. They had glasses on the table but they were not drinking.
- Q. There had been beer there? A. There had been beer there.
- Q. Where did that come from? A. John Nottman's.
- Q. Who paid for it? A. I do not know who paid for it, I only just came in.
- Q. You saw beer glasses, empty, on the table?
- A. On the table.
- Q. Still, nobody asked for any more beer? A. No, sir.
- Q. What made Gillow want to go to his boarding house? A. I do not know, sir, I suppose he wanted to go home to get his supper.
- Q. Did anybody say anything? A. No, sir.
- Q. He just got up and went out? A. He got up, my mama said, "Nellie, you had better go home with this man." He says, "I must go home, Mrs. Smith, to have my supper;" he got up and went out; I said, "Nellie, you had better come up as far as the door with him." Me and this other girl

went up as far as the door.

Q. Right next to the steps that lead up to your door there is a hole in the sidewalk?

A. Yes, sir.

Q. When he went out your door he was very drunk, was he not?

A. Yes, sir.

Q. And did he fall down, or did he step into the hole?

A. He stepped into the hole and he fell on the stoop.

Q. He fell down on his face?

A. No, sir, on his back.

Q. Didn't you tell me, when I spoke to you in Cherry street, that he fell on his face?

A. No, sir, he fell on

his back.

Q. What happened then?

A. One leg went down in the hole

Q. What happened when he fell down?

A. Me and this

other girl went out there and picked him up and then we took him up to the boarding house.

Q. You say that only one foot went down?

A. Yes, sir.

Q. And yet he fell on his back?

A. He did not fall on his

back, he went down like sitting down.

Q. What was the first time you saw these boys?

A. At 123 Cherry street door.

Q. When the man fell down what did the boys do?

A. They didn't do nothing.

Q. How did the man get up?

A. Me and this other girl helped

him up.

Q. He was pretty drunk?

A. Yes, sir.

Q. You know a policeman known in that part of the city as

"Dutch Harry?"

A. Yes, sir.

Q. Has he talked to you about this case?

A. No, sir.

Q. He has not said a word to you about the case?

A. No, sir.

- Q. Will you swear that he has never spoken to you about this case?
A. Only once.
- Q. What did he say?
A. Up in Essex Market he asked me if the boy knocked me down? I said, no, sir..
- Q. When you and Nellie Winne picked this man up after he had fallen in this hole, what happened?
A. Nothing, only we picked the man up and we linked him along the street?
- Q. He was staggering along?
A. Yes, sir.
- Q. Did he fall down again?
A. No, sir.
- Q. And when did you see these boys again?
A. We called them up at 145 door.
- Q. They were waiting at the door 145?
A. They followed us up behind, they stopped there.
- Q. Did they say anything to you when they followed you as you say?
A. Once, only one.
- Q. What did he say, Mike Mullins?
A. He said he wanted his "chuck."
- Q. What did he mean by that?
A. Something to eat.
- Q. Did anybody knock him down?
A. No, sir, he fell up the stoop.
- Q. Then what did the boys do?
A. Sylvester McCabe held his hand like that, Mike Mullins had his hand in his pocket.
- Q. Did you tell this to "Dutch Harry?"
A. No, sir.
- Q. Did "Dutch Harry" tell it to you?
A. No, sir.
- Q. Who did you tell it to?
A. I didn't tell it to nobody only the lady of the house.
- Q. The man fell down you say?
A. He fell up the stoop.
- Q. You will swear positively that these boys ---- that McCabe caught him by the hand and that Mullins put his hand in his

pocket?

A. Yes, sir.

Q. You are sure, you say it was about a quarter past six?

A. Yes, sir.

Q. Do you recollect when he was in 121 1/2 Cherry street, in x your mother's, do you recollect anything being said about a pawn-ticket?

A. No, sir.

Q. Do you recollect anybody asking him to send out and buy the drinks?

A. No, sir.

Q. You swear positively you do not know why you took him up to 145 Cherry street except, as you say, to get his supper--- was there no other reason?

A. Because he was very intoxicated, mama was afraid he would fall.

Q. Nobody said anything about his going up there to get some money to buy some beer?

A. No, sir.

By the Court: Q. After this thing happened what did you do?

A. All I done was to take the man home.

Q. After this thing happened at 145 on the stoop?

A. Yes, sir.

Q. Where did the complainant go?

A. He went inside, into the boarding house and sat on a chair, ~~me~~ and the other girl went in.

Q. You were simply helping him home?

A. Yes, sir.

Q. What became of the boys?

A. We did not know.

Q. When did you next see them?

A. When Harry came

and says, "I got one of them."

Q. The policeman?

A. Yes, sir.

Q. When was that?

A. I think it was the day after.

Q. You did not see any of them that night?

A. No, sir.

By Mr. Osborne: Q. Did you tell all about it to Mrs. Gibbett, the land-lady?

A. Yes, sir.

Q. She lives at 145 Cherry street? A. Yes, sir.

By Counsel: Q. What sort of a place is 121 1/2 Cherry street?

A. It is a candy store.

Q. Isn't it a fact that men come in there to meet women?

A. No, sir.

Q. Isn't it a fact there is a room back there?

A. A little bed-room, a little kitchen.

Q. Who occupies that room? A. Me and my mama.

Q. Do you mean to say that drunken sailors don't come in there regularly?

A. No, sir.

SWEN PETERSEN, sworn and examined:

By Mr. Osborne: Q. Mr. Petersen, what is your business?

A. I am a seaman.

Q. And do you stop at 145 Cherry street? A. Yes, sir.

Q. With Mrs. Gibbett? A. Yes, sir.

Q. Do you remember the evening of November 2, 1892?

A. Yes, sir.

Q. The complainant Gillow came to the house?

A. Yes, sir.

Q. That was in New York city on Cherry street? A. Yes, sir.

Q. When you first saw the complainant Gillow was he on his knees on the stoop?

A. Yes, sir.

Q. What was McCabe doing? A. McCabe was behind his back.

Q. McCabe was behind him? A. Yes, sir, holding his arm or hand, I could not say which, he had his arms like that, back (showing).

Q. What was Mullins doing? A. Mullins, he was on the side, bending down, going into his pocket.

Q. Mullins was on the side with his hand in his pocket?

A. Yes, sir.

Q. What did you do, was any one else present at that time?

A. No, sir, not as I seen.

Q. You did not see anybody else present?

A. No, sir.

Q. Did you see the little girl, Nellie Smith, and did you see the Winne girl?

A. Yes, sir, Nellie Smith hallooed.

Q. Did you see any chain links of the chain of the complainant?

A. Yes, sir.

Q. Have you got those links with you?

A. I have got

them in my pocket. (Witness producing them.)

Q. Where did you notice those links?

A. When he came

in, sitting down on the chair, they were hanging from his button-hole.

Q. That is all you know about it, is it?

A. That is all.

Q. Do you recognize these two boys as the ones you have described, the one holding his hand and the other having his hand in his pocket?

A. Yes, sir.

Q. No doubt about it at all?

A. No, sir.

CROSS EXAMINATION, by Counsel:

Q. Where do you live?

A. 145 Cherry street.

Q. What is your name?

A. Swen Petersen.

Q. Do you board there, Mr. Petersen?

A. Yes, sir.

Q. Are you the proprietor of that place?

A. I am concerned in the proprietor, it goes in a lady's name.

Q. Who is the proprietor?

A. Mrs. Gibbett, she is the

proprietor.

By the Court: Q. What do you mean?

A. She runs the place.

Q. Are you the proprietor, do you know what that means, are you the proprietor?

A. I don't understand.

By Counsel: Q. Do you run 145 Cherry street?

A. No, sir, I do not run it.

Q. Who does?

A. Mrs. Gibbett runs it.

Q. Is she your wife?

A. No, sir.

By the Court: Q. What interest have you got in it, are you connected with it?

A. Only with her, we board with her some years, that is all.

Q. You are not interested in the place?

A. No, sir.

Q. Do you know what I mean by interested, do you get any money or income out of it?

A. No, sir.

Q. What do you do, pay your board there?

A. Yes, sir.

Q. You have no more interest in it, is that what you say?

A. No, sir.

By Counsel: Q. Petersen, what was the first you saw of this man

Gillow on the evening at the time this occurred, this alleged assault and robbery?

A. Nellie Smith

halloped and we came out; he was on his knees on the lower step and them boys was holding him down, trying to go through him, that is all I seen.

Q. Did you see him fall down?

A. No, sir.

Q. You did not see anybody knock him down?

A. No, sir.

Q. How was McCabe standing?

A. He was standing back

of him, holding his arms.

Q. The other boy, Mullins, what was he doing?

A. Mullins

was bending over, going through his pocket, he had his hand down, I cannot swear if the hand was in the pocket when he was kneeling down trying to get it in.

Q. Isn't it a fact that he was trying to pick that man up?

A. That I could not say whether he tried or not.

Q. Wasn't McCabe holding him up from behind and the man was falling over?

A. No, sir.

- Q. Peterson, what did you do? A. I came out, we all came out, we helped him up and took him in the room.
- Q. How did you take hold of him? A. I took hold of his arm.
- Q. Where? A. I took hold of his arm and helped him up.
- Q. Did you take hold of him from behind? A. No, sir.
- Q. Did you have your hand anywhere near his pocket? A. No, sir.
- Q. You had to pick him up? A. He straightened himself up.
- Q. Where was this chain you speak about? A. It was hanging in the button-hole. When he came in he sat down in a chair and opened his coat and he said, "He took my watch;" he said, "The boys took my watch."
- Q. Didn't you hear him swear that he did not know who took his watch? A. Yes, sir, I heard that, and he said that when he came in and sat down.

By the Court: Q. "The boys took the watch?" A. Yes, sir.

By Counsel: Q. He was very drunk at that time?

A. He was pretty well drunk.

Q. Petersen, have you ever been arrested? A. No, sir.

Q. Has 145 Cherry street -----

Objected to.

Q. Has 145 Cherry street ever been "pulled?"

Objected to.

Objection sustained.

Q. Is it what is known as a dive?

Objected to.

Objection sustained.

Q. When this man came into 145 Cherry street what did you do?

A. He sat down in a chair there until the officer came in there and spoke to him. Then after that he went over on the lounge and laid himself down.

Q. Did he have any money with him then?

A. He did not have a cent.

Q. How do you know?

A. He did not for he went through

all his pockets hunting for it.

Q. You went through all his pockets?

A. No, he went himself.

Q. You found this piece of chain sticking from his buttonhole?

A. Yes, sir, as soon as he opened his coat we seen the piece of chain.

Q. Did you ever see that chain before?

A. Yes, sir,

hundreds of times.

Q. Did you ever see the watch on the chain?

A. Yes, sir.

Q. Did you see it that morning?

A. In the morning when

he went out he had the watch and chain.

Q. You are sure of that?

A. Yes, sir.

Q. Do you know "Dutch Harry?"

A. Yes, sir, I know him by sight.

Q. Have you talked this case over with him?

A. No, sir.

Q. Haven't said a word to him?

A. No, sir.

Q. Not at Essex Market?

A. In Essex Market he did not ask me any questions, he was before the Judge there.

Q. He did not tell you what to say, did he?

A. No, sir.

HENRY HERRLICH, sworn, and examined by Mr.

Osborne:

Q. Officer Herrlich, you are connected with the Police Department of this city?

A. Yes, sir.

Q. A good many years?

A. Yes, sir.

Q. What precinct?

A. Seventh.

23 Q. 145 Cherry street is in your precinct?

A. Yes, sir.

Q. Do you remember the night of November 2, 1892?

A. Yes, sir.

Q. In consequence of the conversation you had with the complainant did you do anything?

A. Yes, sir.

Q. What did you do?

A. I was coming back from supper about half past seven in the evening.

Q. What evening was that?

A. On the second; and the Sergeant reported to me.

Q. The Sergeant reported something to you?

A. About the robbery committed on Cherry street. I went down to investigate it and went into 145 and saw the complainant there.

Q. You had a conversation with the complainant, you had a talk with the complainant?

A. Yes, sir.

Q. In consequence of that conversation with the complainant did you do anything?

A. Yes, sir.

Q. What did you do?

A. I made the arrest.

Q. Whom did you arrest?

A. Sylvester McCabe.

Q. Who else?

A. Mullins and McGinness.

Q. When you arrested these boys did you have any talk with them?

No answer.

By the Court: Q. Where did you arrest them?

A. I arrested

McCabe on the third, in Cherry street.

Q. On the street?

A. Yes, sir, about half past three in the afternoon.

Q. November third, the next day?

A. Yes, sir.

Q. Was he alone at the time?

A. Yes, sir,; I was on the opposite side, when he saw me he ran.

Q. Where did you arrest Mullins?

A. I did not arrest him, I saw him in the station house.

Q. What time in the station house?
about eight o'clock.

A. In the morning,

Q. Of November third?
fourth.

A. Not on the third, on the

Q. How about McGinness?
day after.

A. McGinness was arrested the

Q. When did you see him first, in the station house?

A. In the station house.

Q. What time?

A. Eight o'clock in the morning.

Q. Of November 5th?

A. Yes, sir.

By Mr. Osborne: Q. When you saw McCabe on November 3rd, where
was he?

A. In Cherry street.

Q. On the opposite side of the street, I understand you to say?

A. Yes, sir.

Q. When he saw you what did he do?

A. He started to
run.

Q. Did you run after him, did you catch him?

A. Yes, sir.

Q. This was before you had any conversation with him at all?

A. Yes, sir.

Q. What did he say when you arrested him?

A. He said,

"What do you want me for?" I said, "You know what I want
you for." That was the conversation I had with him.

Q. Did you talk with him whether they had been on Cherry street
on the night in question?

A. He said he was there

in and around 121 and 145 Cherry street. He said he was
there but he did not do nothing there.

By the Court: Q. Officer, what did he say, "what do you want me for?"

A. I said, "You know."

Q. What was the next thing you said to him?

A. That is all.

Q. Who spoke about Cherry street first, you or he?

A. Him.

Q. What did he say? A. He says, "I was on Cherry street," and he says, "I did not do nothing, I was there but I did not do nothing."

Q. What did you say? A. I says, "You know better, you did" because there was a witness there that saw you."

Q. What did he say? A. He said, "It ain't no subh thing," he said he did not get nothing.

Q. This was McCabe? A. Yes, sir.

Q. Did you have any talk with Mullins? A. Yes, sir.

Q. Whereabouts? A. Thetime going from the station house to the court.

Q. Who was present at the time? A. Nobody but me, I brought him over to Essex Market.

Q. Just state what he said and what you said? A. I asked him, "How much did you get out of this business?" He says, "I did not get nothing, I was there but I did not get nothing." What is the conversation I had with him.

Q. At that time had he been told what he was arrested for?

A. Yes, sir.

By the Court: Q. Did you tell him? A. No, sir; I said he know what he had been arrested for.

CROSS EXAMINATION, by Counsel:

Q. Officer, why did you say to McCabe, "You know better, you did," when you spoke to him about it and he denied having had anything to do with the robbery?

A. Because he kept away all that day and the next day.

Q. You did not know that he did? A. I did know.

Q. Didn't you say in your testimony the second question I think, that you arrested Mullins? A. No, sir, I did not say anything of the kind.

- Q. You did not arrest Mullins? A. No, sir.
- Q. And when you went over to the station house with Mullins didn't you ask him whether he did it or not?
- A. I did not goto the station house with him.
- Q. When did you have that conversation with Mullins?
- A. Coming from the station house to Essex Market.
- Q. Q What did you say? A. He says, "You got me wrong, I did not do it, I was there but I did not get nothing out of it. That is what he told me.
- Q. Didn't he tell you that he had nothing to do with it?
- A. No, sir.
- Q. Did you tell him that he had? A. I told him he did.
- Q. You did not know? A. Well, there was parties, witnesses in the case.
- Q. Have you had conversations with Nellie Smith? A. No, sir.
- Q. Isn't it a fact that you threatened her that if she did not tell the story that you told her that you would make it hot for her? A. No, sir, the reverse. People said if she would go against them boys they will thrash her. That is her statement, she can swear to that.
- Q. You did not hear anybody make that statement?
- A. No, sir, her statement.
- Q. You have known these boys for some time? A. Yes, sir.
- Q. Where does McCabe live? A. He lived in 140 Cherry street and he lived in 150 Cherry street.
- Q. Right opposite where this alleged robbery took place?
- A. Yes, sir, not quite.
- Q. Wasn't he standing in front of his own door ---- at least, is he in the habit of standing in front of his house?
- A. No, sir.

- Q. He lives in 150 Cherry street? A. Yes, sir.
- Q. Of course he is passing in and out in that neighborhood very frequently? A. Yes, he is only passing there too frequently.
- Q. Have you known Mullins? A. I do.
- Q. Isn't it a fact that you hunt these boys, chase them away whenever you get a chance? A. No, sir.

JOHN GILLOW, recalled by Mr. Osborne:

- Q. Mr. Gillow, look at that piece of chain there, was that part of your chain?
- A. Yes, sir.
- Q. That was the part that was hanging on you when you went into the house?
- A. Yes, sir.

Mr. Osborne: I offer it in evidence.

The Court: Any objection, he identifies it as his, he says it belongs to him?

Counsel: No objection.

Mr. Osborne: That is the case for the People.

The Case for the Defence:

ANDREW G. WHITE, sworn, and examined by Counsel:

- Q. Mr. White, what is your occupation? A. In the pickle business.
- Q. And where do you carry on that business?
- A. 144 Cherry street.
- Q. And how long have you been in business?
- A. I have been in business about sixteen years.
- Q. You know this defendant, Mullins? A. Yes, sir.
- Q. He has worked for you? A. Yes, sir.
- Q. Do you know him ---- have you trusted him? A. Yes, sir.
- Q. Never heard his honesty questioned? A. No, sir.

Q. You have trusted him yourself?

A. Yes, sir.

Q. Never heard his reputation for honesty and integrity questioned by anybody?

A. No.

CROSS EXAMINATION, by Mr. Osborne:

Q. You were a little in doubt about that, have you hesitation?

A. I do not remember any one speaking that way, I do not pay much attention to talk of that kind.

Q. You do not remember whether you heard it questioned or not?

A. I don't remember anything of it.

Q. You know the mother of this Mullins, don't you?

A. Yes, sir.

Q. She works for you too?

A. She did work for me.

Q. How long?

A. Well, I don't remember now.

By the Court: Q. About? A. I think a couple of weeks, something like that, somewhere around that as near as I can recollect.

By Mr. Osborne: Q. How long since, a year ago?

No answer.

By the Court: Q. How long ago was it she worked for you?

A. I think it was in August.

By Mr. Osborne: Q. In August last?

A. I think so, I

would not be certain about it.

Q. Do you know a girl by the name of Winne?

A. No, sir.

Q. You do not know whether she worked for you or not?

A. I do not think she did, I think I would have remembered if she had.

Q. You think you would have remembered it?

A. Yes, sir.

SYLVESTER McCABE, sworn, and examined by Counsel:

Q. McCabe, where do you live?

A. I am hard of hear-

ing, I can't hear.

By the Court: Q. Can't you hear well?

A. No, sir.

BY Counsel: Q. McCabe, where did you say you lived?

A. 150 Cherry street.

Q. On the evening of this occurrence where were you?

A. I was next door, next to the candy store.

Q. Tell this Jury, slowly and distinctly, in your own words, just what happened?

A. When I first seen this man he came out of this store. There is a hole outside, he fell down this, I walked away, I walked in the candy store, and the first thing I knew I heard the officers were after me; I found out where the man lived and went up and asked whether he blamed me for robbing him. They said, no, but the man got robbed down the street.

Q. I did not ask you anything about that; I want you to tell this Jury what you did when that man came out of the candy store?

A. I picked him up.

Q. What did you do, gover to him? you crossed the street?

A. He fell and the little girls picked him up and I picked him up with the little girls.

Q. What happened after you had picked him up?

A. I do not know, I let him go, the two girls fetched him up the street.

Q. Didn't you pick him up again at 145?

A. No, sir.

Q. Did you see anybody else pick him up there?

A. No, sir.

Q. Did you take anything out of his pockets?

A. I did not go near his pockets.

Q. Did you knock him down?

A. No, he fell down at the door, I don't know whether he fell out or got pushed out.

Q. You saw him fall down?

A. Yes, sir.

Q. Was he staggering?

A. Yes, sir; there is a lady

that seen him fall down.

Q. And did you see a crowd at 145 Cherry street?

A. No, sir.

Q. What did you do after you left him?

A. I went in the candy store.

Q. At 121 1/2 Cherry?

A. Yes, sir.

Q. You saw nothing further?

A. No, sir.

CROSS EXAMINATION, by Mr. Osborne:

Q. You saw him come out of 121 1/2, did you?

A. No, sir, I seen him fall out, I seen him fall down.

Q. And he fell down when he came out?

A. I seen him

fall, I do not know if he got pushed or fell out.

Q. But you saw him fall down?

A. Yes, sir.

Q. You went and helped him up?

A. Yes, I picked him up.

Q. You went into the candy store?

A. Yes, sir.

Q. That is all you know about it, you never went near him after that?

A. No, sir.

Q. You never saw Nellie Smith at 145 Cherry street?

A. No, sir.

Q. You never heard anything more about the case until the next day when you were arrested?

A. In the night time I heard the policeman was looking for me and I went and asked the lady if she blamed me for robbing the man?

Q. When you saw the officer you ran away?

A. Certainly, that cop was hitting me every time he sees me.

Q. McCabe you have been convicted of crime in your life?

A. No, sir.

Q. Weren't you convicted, you pleaded guilty, before Judge

Cowing, to Burglary in the third degree?

A. Yes, sir.

Q. You pleaded guilty that you, William Jolly, Joseph Donovan, Joseph Morris, Henry Moses, and Jeremiah Corcoran broke into 380 & 382 Water street, you pleaded guilty to that, did you, that was the charge?

A. Yes, sir.

Q. That was June 2, 1891, last year?

A. Yes, sir.

ALFRED WOLF, sworn, and examined by Counsel:

Q. Mr. Wolf, where do you live?

A. 112 Cherry street.

Q. Do you know the premises 145 Cherry street?

A. Yes, sir.

Q. Do you know the premises 121 1/2 Cherry street?

A. Yes, sir.

Q. Have you been in those places?

A. I have been in both them places.

Q. You have been in 145 Cherry street?

A. Yes, sir.

Q. Is that a liquor-saloon?

A. 145 Cherry street? no, sir, it is not a liquor saloon.

Q. Have you bought beer in there?

Objected to.

Objection sustained.

Q. Have you gone out of there with women?

Objected to.

Objection sustained.

ELLEN WINNE, sworn, and examined by Counsel:

Q. Where do you live?

A. 55 Monroe street.

Q. Nellie, on the evening that this took place you were in 121 1/2 Cherry street?

A. Yes, sir.

Q. Who was there?

A. Nellie Smith, Mrs. Smith, and the gentleman and an old lady.

Q. Who was the old lady?

A. Mrs. Madden.

Q. She is in the habit of going there very often?

A. Yes, sir.

By The Court: Q. You have seen her there a number of times before?

A. Yes, sir.

By Counsel: Q. You saw the complainant there, the man Gillow?

A. Yes, sir.

Q. And what was he doing?

A. He was sitting there.

Q. Was he drinking beer?

A. No, sir, he was not drinking

beer.

Q. They had been drinking beer?

A. I do not know for I

was not there.

Q. There was glasses on the table?

A. There was glasses

on the table but there was no beer in them.

Q. Did anybody call for beer?

Objected to.

Objection overruled.

A. Yes, sir, Mrs. Smith asked that man to send for a pint of beer, and he said that he hadn't got any money. She asked him what was the matter with pawning his watch and he said he hadn't got no watch but he would pawn his overcoat.

Q. What did he do then, Nellie?

A. She told him to go up

to Sarah's, the woman up the street, to bring her down to the house, and as he went the old lady went to go out with him and as he went to go out the door he fell down and then two boys over there come and picked him up ---not them two, another boy and the biggest one, came and picked him up.

By the Court: Q. The biggest of these and another boy, is that it?

A. Yes, sir, the boy went up and put him on his feet; Nellie Smith and I took him up to his door and he fell down and the crowd of boys from across the street ran over and

went behind him; Nellie Smith hallooed; the lady opened the door and called to them to take him in. They said he had been robbed and commenced to hullo. Nellie Smith and I came in with him, we went down to Mrs. Smith's, Mrs. Smith went out and commenced hulloing on the doorway that a man had been robbed.

Q. When you were in Mrs. Smith's did you see this man have any money?

A. No, sir.

Q. Did you see any watch? A. No, sir.

Q. You are positive that he went out to pawn his overcoat?

A. Yes, sir.

Q. That is what he said? A. Yes, sir.

Q. What was said about his going to get married to Mrs. Smith?

A. They were talking about getting married, Mrs. Smith said she would not marry any man while he was drunk. He insisted on marrying her. She says, "Go up to Sarah, she will stand up for us."

Q. Did Mrs. Smith say anything about having any beer ---she said, "Why, we can't have a wedding without having some beer?"

A. No, sir, she asked him to send for a pint of beer and he said he had not got any money. She asked him what was the matter with pawning his watch, he said he had no watch but he would pawn his overcoat.

Q. Did you see three of these boys knock him down?

A. No, sir.

Q. You are positive that you did not? A. Yes, sir.

Q. Did you see Mullins try to put his hand in his pocket?

A. No, sir.

CROSS EXAMINATION, by Mr. Osborne:

Q. You worked for Mr. White, didn't you, in the pickle business?

A. Yes, sir.

Q. How long since you worked there?

A. Last Saturday I worked there.

Q. Up until last Saturday?

A. Yes, sir.

Q. Mrs. Mullins worked there too?
worked there for about two months.

A. Yes, sir, she

Q. She worked the same time you did?
two months while I was there.

A. She worked for

Q. With you?

A. Yes, sir.

Q. You and Mrs. Mullins, the mother of this boy here have had
some talk about this case?
down to see the lawyer.

A. Only to take me

Q. She took you down to see the lawyer?

A. Yes, sir.

Q. Before you went down to see the lawyer you told Mrs. Mullins
what you knew about it?
temmnothing but the truth.

A. No, sir, she told me I shall

Q. Didn't you tell her what you were going to tell the lawyer?

A. No, sir.

Q. While you and Mrs. Mullins were coming down to the lawyer's
office you never had a word about this case?

A. No, sir, she toldme to tell the truth.

Q. You never referred to this case?

A. No, sir.

Q. When did you see Mrs. Mullins first about it?
her first in Mrs. Smith's door.

A. I seen

Q. When was that?

A. About two weeks ago.

Q. How did Mrs. Mullins know that you knew anything about the
case?

A. The boys had told her down at the door that
I had taken the man home along with Nellie; she came to see
me.

Q. She never asked you what you knew about it?

A. No, sir.

Q. You never told her? A. No, she told me to go down to see the lawyer.

Q. You and she went down together? A. Yes, sir.

Q. Where is the lawyer's office? A. On Broadway, between Chambers and the next street.

Q. Did you go down in the car? A. No, sir.

Q. You walked down? A. Yes, sir.

Q. You walked all the way down and never said a word about the case? A. No, sir.

Q. You never told her anything about the case? A. She knew I did but I did not tell her.

Q. And all this conversation that you speak about happened while you were in the candy store? A. Yes, sir.

Q. Mrs. Smith asked him for a glass of beer? A. To send for a pint of beer.

Q. You have made a statement in our office about this case? A. Yes, sir.

Q. You made it to me? A. Yes, sir.

Q. And when you first made the statement you said that the sailor offered to pawn his watch? A. Yes, but I forgot, I told you overcoat.

Q. You made that statement three times that the sailor offered to pawn his watch? A. I told you I forgot.

Q. And then you forgot after that and changed your statement and said that you had forgotten and thought it was his overcoat? A. Yes, sir.

By Counsel: Q. Nellie, you came down to my office to tell me the truth, didn't you? A. Yes, sir.

Q. What you told me then and what you tell me now is true? A. Yes, sir.

Q. Do you remember those boys cross the street coming over?

A. Yes, sir.

Q. There was acrowd of them? A. Yes, sir.

Q. They got around this man when he was down?

A. Yes, sir.

MICHEAL MULLINS, sworn, and examined by Counsel:

Q. Micheal, where do you live? A. 37 Monroe street.

Q. I want you to tell this Jury (speak out as well as you did then) tell them just what happened on that evening?

A. I was next door to the candy store where the man fell out; I just picked him up, that was all about it, two girls took him up the street, that is all I seen, I stayed there; nothing got taken off the man, anything like that, just lifted him up.

Q. Did you try to put your hand in his pocket?

A. No, sir, I lifted the man up, he fell down the hole on the side right opposite the door.

Q. Have you ever been convicted of any crime, sent up?

A. No, sir..

CROSS EXAMINATION, by Mr. Osborne:

Q. Q. Mullins, where did you go, after you got through, after you had gone over --- did you pick the fellow up?

A. Yes, sir.

Q. You picked him up ? A. Yes, sir.

Q. When he fell down? A. Yes, sir.

Q. Then this young lady here, Miss. Winne, testified ---she said another boy, a bigger boy, and this one (McCabe) picked him up; that is a mistake, is it, you helped pick him up?

A. I was there, I was going to help to pick him up.

- Q. Where did you go after you got in the candy store --- did you go in the candy store afterwards?
A. I was outside the door, I was not in the candy store.
- Q. Did you go in the candy store with McCabe after you picked him up?
A. No.
- Q. You stood there and watched the sailor all the way down to 145?
A. Yes, sir.
- Q. You did not go in the candy store?
A. No, sir.
- Q. Where did you go?
A. I stayed there where I picked the man up.
- Q. I suppose when you see a drunken fellow go along the street you don't join the crowd?
A. No, sir.
- Q. You stand there and look at him?
A. Sure.
- Q. Were you ever sent to the reformatory, anything like that?
A. Yes, sir, not for anything like that.
- Q. Just tell us when you were sent?
A. I do not know when I was sent, I was small, not for any crime, anything like that.
- Q. What reformatory were you sent to?
A. The Catholic Protectory.
- Q. Were you ever sent to any place beside that?
A. No, sir.
- Q. Your mother put you there I suppose?
A. Yes, sir.
- By Counsel: Q. Mullins, your mother is a very poor woman?
A. Yes, sir.
- Q. She sent you to the Catholic Protectory because she could not support you?
A. I was small, I was 8 or 9 years.
- Q. You could not earn anything?
A. No, sir, I was too small.
- the Court: Q. How old were you?
A. About five or six years.

0756

old.

Q. How long were you there?

A. I guess about five years

Q. You were not sent there for crime?

A. No, sir.

Mr. Osborne: I can't claim that he was. I do not claim that.

Counsel: That is our case.

The Jury disagreed, standing eight for acquittal and four for conviction.

0757

39

Testimony in the
case of
Sprester Mc Cabe

and
Michael Mullins

filed

Nov. 1922

9512

Nellie Smith.

I live at 12 1/2 Cherry St. John Gillan came to my house. He was intoxicated and I was going with him, with Ellen Rine. We got to 145 Cherry St and I had hold of his arm going up the stairs and he stumbled and fell on his face and hands up the stoop. These three boys were at 123 Cherry St and they followed us down to 145 Cherry St.

Michael Mullins said to me "Who is he" You said "I'll tell Mrs Gibberd if you don't leave him alone" and he said "Don't want my chuck?"

When the complainant fell Mullins put his hand, in complainant's left hand vest pocket, M^c Cabe held complainant's hands behind his back. Then I hollered for Mrs Gibberd. While I was hollering Mullins punched me in the side and said "If you don't let me get me chuck I'll kill you". Then I ran inside.

Sven Peterson.

I heard the girl holler. Gillon was on his knees on the last step. McCabe had complainant's hands. Mullins had his hand in his pocket. We got complainant inside, and I saw a few links of his chain and the locker sticking in his button-hole.

Officer Herrlich.

I made the arrests. All admitted they were ^{there} but said they didn't do anything.

Ellen Wynne.

Ellen Wynn.

I was in Smith's house. I was in there about 5 minutes when I started to go home with him and Nellie Smith. An old woman first went to take him out of the house. The old woman and Gillow fell out down. M^c Cabe and M^c Guinness picked him up. (My mother has always forbidden me to go to Cherry St). Mrs Smith asked him to send for beer; he said he had no money but that he would pawn his watch. She said to never mind pawning his watch. (She changes her story / She repeated the above three times / then said I forget I meant the overcoat.

Mrs Smith asked him to buy beer, he said "he didn't have any money". She said "pawn your watch". He said, "I'll pawn my ^{coat} over". I saw his lawyer. Mrs Mullins 121 - 145. Mrs McCabe used to work whites no more now two months. She sent ~~her~~ to the lawyer. ~~reported~~ ~~told~~.
I saw to Chappin St & Brumby

It was in where work -
 one of the ~~pink~~
 patches. Nellie Smith
 might have ^{seen} seen
 went out to ~~recollect~~

Smith, after work at about
 6 o'clock. Willow Mrs Smith, Bess
 Manton (an old lady) Nellie Smith and
 myself.

I saw him fall in front of 145. on
 his knees. I stood there, and then
 some boys came and a lady
 came out of the house. I think
 it was Peterson picked him up.
 I'm sure Peterson picked him up.
 I cannot identify the boys. I
 did not see their faces. I cannot
 swear that it was not
 McCabe or Mullins

0762

CITY AND COUNTY OF NEW YORK.

POLICE COURT.

3rd DISTRICT.

of No. 7 Precinct Street, aged 7 years,
occupation Police Officer being duly sworn, deposes and says
that on the 14 day of November 1882
at the City of New York, in the County of New York John Kellow

nowhere who made a complaint
of Robbery against Sylvester
McCabe in this court is
a material witness to
the purpose of allow to go will
not be forth coming when wanted
Therefore defendant prays
that the said Kellow be held
in default of Bail as a witness
Henry Berlich

Sworn to before me this

14th day of November 1882

day

Police Justice.

Police Court-- 3 District.

CITY AND COUNTY } ss
OF NEW YORK,

John Galloway
of No. 145 Cherry Street, Aged 37 Years
Occupation Seaman being duly sworn, deposes and says, that on the
9 day of November 1892, at the 7th Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful money to the
amount of twelve dollars; One
Silver watch and my plated
chain w. all of the value
of twenty six dollars

(\$ 26.00)

of the value of

the property of

Dependent

DOLLARS

and that this deponent has a probable cause to suspect, and does suspect, that the said property was
feloniously taken, stolen, and carried away, by force and violence as aforesaid by

Sylvester (Cubs) (Gowhen)

William Coleman, Michael Mullin

John McSummers not yet arrested

from the fact that at about

4:30 o'clock P.M. said Dependent

was passing through Cherry Street

when the said Coleman, Mullin

and McSummers caught hold of

Dependent and drew Dependent

and behind Dependent back when

the said Defendants knocked

Dependent down and feloniously

took stole and carried away

Recd of

Subscribed to before me this

189

Police Justice

the said property from the pockets of
 the clothing that Hapman was then
 and then wearing upon his person
 by force and violence, without
 his consent and against his
 will
 Signed before me & John Gillow
 May 17th 1892
 J. Hapman
 Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
 committed, and that there is sufficient cause to believe the within named
 guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
 Hundred Dollars and be committed to the Warden and Keeper of the City Prison
 of the City of New York until he give such bail.
 Dated 1892
 I have admitted the above named
 to bail to answer by the undertaking hereinafter named.
 Dated 1892
 There being no sufficient cause to believe the within named
 guilty of the offense within mentioned, I order he to be discharged.
 Dated 1892
 Police Justice.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

vs.

Offence—ROBBERY.

1

2

3

4

Dated

1892

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0765

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK ss:

Michael Muller being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

Michael Muller

Question. How old are you?

Answer.

12 years.

Question. Where were you born?

Answer.

New York

Question. Where do you live and how long have you resided there?

Answer.

37 Munroe St. 2 yrs.

Question. What is your business or profession?

Answer.

Helper

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer.

I am not guilty
Michael Muller

Taken before me this
 day of *May* 189*4*

[Signature]
 Police Justice.

0766

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss:

Sylvester McCabe being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

Sylvester McCabe

Question. How old are you?

Answer.

15 years

Question. Where were you born?

Answer.

U.S.

Question. Where do you live and how long have you resided there?

Answer.

150 Cherry St - 4 mos

Question. What is your business or profession?

Answer.

Engraver

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer.

*I am not guilty
Sylvester McCabe*

Taken before me this

4

day of

Nov

1892

Police Justice.

0767

Sec. 198—200.

3

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss:

John McKunsey being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *John McKunsey*

Question. How old are you?

Answer. *36 years*

Question. Where were you born?

Answer. *New York*

Question. Where do you live and how long have you resided there?

Answer. *31 Monroe St. Long 2 1/2 yrs*

Question. What is your business or profession?

Answer. *Photographer*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer. *Don't not guilty*
in business

Taken before me this

day of *Nov* 189*6*

Police Justice.

0768

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

McLaren, My Muller and John McGinnis
~~guilty thereof~~, I order that ~~he~~ be held to answer the same, and ~~he~~ be admitted to bail in the sum of Twenty Hundred Dollars.

and be committed to the Warden and Keeper of the City Prison of the City of New York, until ~~he~~ give such bail.

Dated, Nov 4 1892

[Signature]
 Police Justice.

It appearing to me by the within

committed, and that there is sufficient cause to believe the within named

John McGinnis
~~guilty thereof~~, I order that ~~he~~ be held to answer the same, and ~~he~~ be admitted to bail in the sum of Twenty Hundred Dollars.

and be committed to the Warden and Keeper of the City Prison of the City of New York, until ~~he~~ give such bail.

Dated, Nov 6 1892

[Signature]
 Police Justice.

076

Police Court,

3

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Galloway
145 Cherry
Sylvester McCabe
Michael Mullin
John McKenna

1390

Robbery
Offense

BAILED,

No. 1, by.....
Residence..... Street.

No. 2, by.....
Residence..... Street.

No. 3, by.....
Residence..... Street.

No. 4, by.....
Residence..... Street.

Dated,

Nov 4

1892

E. Hogan
Clerk

Magistrate.

Officer.

Precinct.

Witnesses

No. 145 Cherry Street.

No. 121 1/2 Cherry Street.

No. Complainant
House of Delinquency Street.

\$ 2000 to answer

Louis A. Steen

148 E. 23rd St.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Director and Police
National Institute and
John and Fignier

The Grand Jury of the City and County of New York, by this indictment, accuse
Defendant, the Late, in that various
and of the Crime of ROBBERY in the *first* degree, committed as follows:

The said *Defendant*, *vs.* *State*, *indictment*
and *John* *vs.* *John*, *att.*
 late of the City of New York, in the County of New York aforesaid, on the *second*
 day of *January*, in the year of our Lord one thousand eight hundred and
 ninety-*two*, in the *night* time of the said day, at the City and County aforesaid,
 with force and arms, in and upon one *John* *Richard*,
 in the peace of the said People then and there being, feloniously did make an assault; and

the pen of Andrew Johnson in making
lengthy mention of the winter of 1862
of America, and of the fall of Andrew
Johnson, one mistake of the nature of
twenty five dollars, and one of the
of the nature of one dollar.

of the goods, chattels and personal property of the said John Tillams,
from the person of the said John Tillams, against the will
and by violence to the person of the said John Tillams,
then and there violently and feloniously did rob, steal, take and carry away, the said
Durham the Rate, Hindoo, Mullins and
John the Eximus, and each of them, being
then and there aided by an unscrupulous
actually present, to wit: each by the other, and
by one William Rotman.

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

~~Wm. L. Hays~~,
~~Attorney~~

0771

BOX:

502

FOLDER:

4579

DESCRIPTION:

McCarthy, Dennis

DATE:

11/21/92



4579

0772

POOR QUALITY
ORIGINAL

Witnesses:

C. W. Gardner

Counsel,

Filed, *21st* day of *Nov* 189*2*

Reads,

THE PEOPLE

vs.

B
Dennis Mc Carthy

SUPREME COURT PART 1,
December 22 1899
INDICTMENT DISMISSED.

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

John E. Foreman

Foreman.

VIOLATION OF THE EXCISE LAW.
Unlawful Hours.
[Chap. 401, Laws of 1892, § 82].

FILED 17015
1890

0773

POOR QUALITY
ORIGINAL

Witnesses:

E. W. Garrison

Counsel,

Filed, *21* day of *Nov* 189 *2*

Pleads, *no plea*

THE PEOPLE

vs.

James M. Corley

NEW YORK COURT

DE LANCEY NICOLL.

District Attorney.

A TRUE BILL.

John E. Foran

Foreman.

VIOLATION OF THE EXCISE LAW.
Unlawful Hours.
[Chap. 401, Laws of 1892, § 32.]

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Dennis McCarthy being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is his right to
make a statement in relation to the charge against him; that the statement is designed to
enable him if he see fit to answer the charge and explain the facts alleged against him;
that he is at liberty to waive making a statement, and that his waiver cannot be used
against him on the trial.

Question. What is your name?

Answer. *Dennis McCarthy*

Question. How old are you?

Answer. *32 years*

Question. Where were you born?

Answer. *ND.*

Question. Where do you live, and how long have you resided there?

Answer. *N^o 32 Oak Street & about 12 years*

Question. What is your business or profession?

Answer. *Boat - tender*Question. Give any explanation you may think proper of the circumstances appearing in the
testimony against you, and state any facts which you think will tend to your
exculpation?Answer. *I am not guilty and*
demand a trial by jury
*I held for trial**Dennis McCarthy*

Taken before me this

day of *March*, 190*7**Charles J. Stanton*

Police Justice.

0775

Sec. 151.

Police Court Fourth District.CITY AND COUNTY
OF NEW YORK, } ss.In the name of the People of the State of New York; To the Sheriff of the County
of New York, or to any Marshal or Policeman of the City of New York, GREETING:Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by Charles W. Gardnerof No. 923 Broadway Street, that on the 18th day of August

1892 at the City of New York, in the County of New York, at Liquor Saloon situated on
the north-west corner of Houston Street and
Bowling Green (near John Ross (real name unknown)
 a tall thin man, with medium hair, blonde mustache
 and light complexion) did then and there expose for
 sale, and did sell, give away and dispose of, and cause
 to be sold, given away and disposed of under his direction and authority, strong and shining
 mirrors to wit: about 10, being relaxing mirrors, in quantity
less than one gallon at a time to be drunk on the premises
as a beverage, within the house of me and being asleep in the
morning of said day, contrary to and in violation of the statute in
such case made and provided.

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to
answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said
 Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him
 forthwith before me, at the 1st DISTRICT POLICE COURT, in the said City, or in case of my absence
 or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to
 be dealt with according to law.

Dated at the City of New York, this 18th day of August, 1892.Charles W. Gardner POLICE JUSTICE.

0776

age 32. U.S. res 12 Oak St.

The within named

having been brought before me under this Warrant, is committed for examination to the
WARDEN and KEEPER of the City Prison of the City of New York.

Dated _____ 188

Police Justice

Police Court 4 District.

THE PEOPLE, *vs.*
ON THE COMPLAINT OF

Warrant-General.

John Doe

vs.

John Doe

Dated

Aug 18

1887

Amelia Sankin Magistrate*W. L. Sankin* Officer.

The Defendant *Amelia Sankin*
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

W. L. Sankin Officer.

Dated

Aug 18

1887

This Warrant may be executed on Sunday or at
night.

Charles W. Sankin Police Justice.

0777

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of One Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated May 19 1892 Charles N. Linton Police Justice.

I have admitted the above-named defendant to bail to answer by the undertaking hereto annexed.

Dated May 19 1892 Charles N. Linton Police Justice.

There being no sufficient cause to believe the within named _____ guilty of the offence within mentioned. I order he to be discharged.

Dated _____ 18 _____ Police Justice.

0778

SELLING-AFTER-HOURS.

Police Court---

1048 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles R. Gordon

vs. Dennis McCarthy

1.
2.
3.
4.

Offence *Forgery*

BAILED.

No. 1, by *August Merle*

Residence *134 W. 32nd* Street.

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated *August 19* 1892

Scrimlet Magistrate.

Halliday Officer.

Court Precinct.

Witnesses *Geo. R. Delany*

No. *and other witnesses*

92 323 N. Broadway

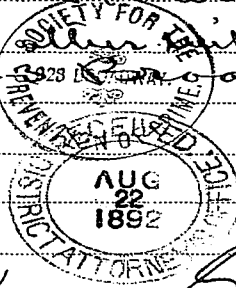
No. Street.

No. Street.

No. Street.

\$ *to answer*

Bailed



0779

Excise Violation—Selling After Hours.

POLICE COURT—Fourth DISTRICT.

City and County } ss.
of New York, }

Charles W. Gardner

of No. 923 Broadway Street,
of the City of New York, being duly sworn, deposes and says, that on the ~~seventeenth~~ ^{eighteenth} day

of August 1892, in the City of New York, in the County of New York, at

Heron Saloon located on the north west corner of

(read name not known) a tall thin man with medium hair and
blond mustache and light complexion (now here)did then and THERE EXPOSE for sale, and did sell, give away and dispose of, and cause, suffer, and permit to be sold, given away and dispose of under his direction and authority, strong and spirituous liquors, ~~whisky~~ ^{whisky} and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be drunk in the house or premises aforesaid BETWEEN THE HOURS OF ONE AND FIVE O'CLOCK in the morning of said day, contrary to and in violation of the statute in such case made and provided.WHEREFORE, deponent prays that said John Doe
may be arrested and dealt with according to law.

Sworn to before me, this 18th day of August 1892

Charles W. Gardner
Charles L. Linton Police Justice.

0780

State of New York,
City and County of New York, ss.

Charles W. Gardner

of No. 923 Broadway
that Dennis McCarthy
John Doe

Street, being duly sworn, deposes and says,

(now present) is the person of the name of

mentioned in deponent's affidavit of the

day of August 1892 hereunto annexed.

Sworn to before me, this

day of

19th August 1892 Charles W. Gardner

Charles W. Gardner POLICE JUSTICE.

0781

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

1599

THE PEOPLE OF THE STATE OF NEW YORK,
against

Dennis Mc Carthy

The Grand Jury of the City and County of New York, by this indictment, accuse
of the CRIME OF *Dennis Mc Carthy* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND
BEER, BETWEEN ONE O'CLOCK AND FIVE O'CLOCK IN THE MORNING, committed
as follows:

The said

Dennis Mc Carthy

late of the City of New York, in the County of New York aforesaid, on the *eighteenth*
day of *August* in the year of our Lord one thousand eight hundred and
ninety-*two* (the same not being Sunday), between one o'clock and five o'clock in the morning of the
said day, at the City and County aforesaid, certain strong and spirituous liquors, wines, ale and
beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of
whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer,
one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid
unknown, unlawfully did sell ~~to one~~

and to certain other persons whose names are to the Grand Jury aforesaid unknown, without
having a special license therefor as required by law, against the form of the statute in such case
made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
of the CRIME OF OFFERING AND EXPOSING FOR SALE STRONG AND SPIRITUOUS LIQUORS, WINES, ALE
AND BEER, BETWEEN ONE O'CLOCK AND FIVE O'CLOCK IN THE MORNING, committed as follows:

The said

Dennis Mc Carthy

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid (the
same not being Sunday), between one o'clock and five o'clock in the morning of the said day, certain
strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one
gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating
liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, without
having a special license therefor as required by law, against the form of the statute in such case made
and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0782

BOX:

502

FOLDER:

4579

DESCRIPTION:

McCarty, John

DATE:

11/30/92



4579

0783

BOX:

502

FOLDER:

4579

DESCRIPTION:

Ennis, Frank

DATE:

11/30/92



4579

Witnesses:

Offr. Money 4th
Jas Brandes

Counsel,
Filed *30* day of *Nov* 1892
Pleads *Not guilty* died

409 *W. Henry*

THE PEOPLE
19 *John Henry*
134 Henry St
San Francisco
John McCarty
34 and
35 West of
Labron
Frank Emme

Burglary in the Third Degree.
Section 498, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

John E. Peterson

Jan 2 - Dec. 5, 1892 Foreman.

Both Head Petit Larceny

for 1 + 2.1 yr each
Acq ft

0785

Police Court— District.

City and County { ss.:
of New York,

of No. 80 Catherine

Joseph Brandes

Street, aged 56 years,

occupation. Shoe dealer

being duly sworn

deposes and says, that the premises No. 80 Catherine Street, 4 Ward

in the City and County aforesaid the said being a Two story brick
dwelling house the ground floor of which
which was occupied by deponent as a shoe store

and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking open
a pane of glass in the window of said
premiseson the 23 day of November 1892 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:Four pair of shoes of the value of
nine dollars

the property of Deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away byFrank Ennis (now here) and John
McCarthy (now in prison) acting in concert with
each otherfor the reasons following, to wit: that on the night of the 22nd
of November 1892 deponent securely locked
and fastened said premises and the windows
of said place were intact - and the said property
was in place - deponent was informed by Officer
John Mooney of the 4th Precinct that he discovered
the said window broken and defendant McCarthy
had one pair of shoes in his possession -
deponent is informed by Officer Holland

0786

of the 7th Precinct that he saw both defendants
~~but~~ acting in concert and take said property
from said window - said Officer Holland
and Officer Mooney pursued the defendants
and the defendant McCarthy was arrested
and the other escaped - on November 23rd 1894
Officer Mooney arrested the defendant Ennis
and Officer Holland fully identifies the
said Ennis as the man who escaped
at the time the defendant McCarthy was
arrested.

Subscribed before me Joseph J. Linnard

Nov 25
1894

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1894 Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1894 Police Justice.
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1894 Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—BURGLARY.

vs.

1.
2.
3.
4.

Dated

1894

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0787

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

Richard J. Holland
aged 7 years, occupation Police officer of No. 7 Greenwich Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of _____
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 25 day of July 1921 Richard J. Hallene

W. D. M. M. M. Police Justice.

0788

Police Court— / District.

City and County { ss.:
of New York,

of No. 80 Catherine

occupation. Shoe Dealer

deposes and says, that the premises No. 80 Catherine

in the City and County aforesaid the said being a Two story brick

dwelling house the ground floor of which

and which was occupied by deponent as a Shoe Store

and in which there was at the time a human being, by name

Joseph Brander

Street, aged 56 years,

being duly sworn

Street. 4 Ward

were BURGLARIOUSLY entered by means of forcibly Breaking open
a pane of glass in the window of said
premises

on the 23 day of Nov 1892 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Four pair of shoes of the value of nine
dollars \$9

the property of Defendant

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen and carried away by

John M^r Carthy (now here)

for the reasons following, to wit: that on the night of the 22nd of
November 1892 defendant secretly visited said premises
and that the windows in said premises were fast and
secured. Defendant is informed by Officer John Horney
of the Fourth Precinct that he found the said window
broken and found the aforesaid four pair of shoes
in the possession of the defendant.

Defendant identifies
the said shoes as his property and therefore

0789

charges the defendant with ~~the~~ Burglary.

Swan to before me the
23rd day of November 1892 }

Police Justice

Joseph L. Leland.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Hundred Dollars _____ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated _____ 1888 . _____ Police Justice.

I have admitted the above named _____ to bail to answer by the undertaking hereto annexed.

Dated _____ 1888 . _____ Police Justice.

There being no sufficient cause to believe the within named _____ guilty of the offense within mentioned, I order he to be discharged.

Dated _____ 1888 . _____ Police Justice.

Police Court, _____ District.

*THE PEOPLE, &c.,
on the complaint of*

Offence—BURGLARY.

U.S.

1. 2. 3. 4.

Dated 198

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street.

No. Street

to answer General Sessions.

0790

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 32 years, occupation John Morony
Police Recruit of No. 4th
Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Joseph W. Winkler
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 23 day
of Aug 1892 } Morony

Morony
Police Justice.

0791

Sec. 198—200.

1882
District Police Court.

City and County of New York, ss:

John Mc Carthy being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him, if he see fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. John Mc Carthy

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. New York

Question. Where do you live, and how long have you resided there?

Answer. 137 Cherry Street 3 years

Question. What is your business or profession?

Answer. Printer

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer. I am not guilty.John Mc Carthy

Taken before me this

23

day of

Nov1892Walter H. Kelly
Police Justice.

0792

Sec. 198—200.

1882

District Police Court.

City and County of New York, ss:

Frank Emnis

being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him, if he see fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

Frank Emnis

Question. How old are you?

Answer.

34 years

Question. Where were you born?

Answer.

New York

Question. Where do you live, and how long have you resided there?

Answer.

35 Oak St One month

Question. What is your business or profession?

Answer.

Laborer

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer.

*I am not guilty**Frank Emnis*

Taken before me this

day of

1892

Police Justice.

0793

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

Defendant
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, March 23 189

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

Defendant
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, March 23 189

Police Justice.

T. J. J.

0794

1473
1394

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Brander
1 John Mc Carthy
2 Frank Ennis
3
4

Offense
Burglary

BAILED,

No. 1, by.....
Residence Street.

No. 2, by.....
Residence Street.

No. 3, by.....
Residence Street.

No. 4, by.....
Residence Street.

Dated, Dec 23 1892

Grady
Money
4

Magistrate.
Officer.
Precinct.

Witnesses John Money
No. 4th Precinct Street.
Officer Holland
No. 7th Precinct Street.
Officer Curry
No. 7th Precinct Street.

to answer.
\$1000
[Signature]

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against
John McCarty
and
Frank Ennis

The Grand Jury of the City and County of New York, by this indictment, accuse

John McCarty and Frank Ennis

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said *John McCarty and Frank Ennis*, both

late of the *4th* Ward of the City of New York, in the County of New York aforesaid, on the
3rd day of *November* in the year of our Lord one
thousand eight hundred and ninety-*two* in the *night* time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of
one *Joseph Brandes* —

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said *Joseph*

Brandes in the said *store* —
then and there being, then and there feloniously and burglariously to steal, take and carry away,
against the form of the statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

John McCarty and Frank Ennis

of the CRIME OF *Petty* LARCENY

committed as follows:

The said

John McCarty and Frank Ennis, both

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the *night* time of said day, with force and arms,

*eight shoes of the value of
one dollar and twenty-five
cents each*

of the goods, chattels and personal property of one

Joseph Brandes

in the

Store

of the said

Joseph Brandes

there situate, then and there being found, in the

Store

aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said

John McCarty and Frank Ennis
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

John McCarty and Frank Ennis, both

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid,

*eight shoes of the value of
one dollar and twenty-five
cents each*

of the goods, chattels and personal property of

Joseph Brandes

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said

Joseph Brandes

unlawfully and unjustly did feloniously receive and have; (the said

John McCarty and Frank Ennis

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0798

BOX:

502

FOLDER:

4580

DESCRIPTION:

McClellan, Arthur

DATE:

11/29/92



4580

Witnesses:

James Kitzler

Wm Robinson Co.

381

Counsel,

Filed

day of

189

Pleas,

THE PEOPLE

vs.

Grand Larceny, First Degree
(DWELLING HOUSE.)
(Sections 529, 530 Penal Code.)

Arthur McCallum

DR LANCEY NICOLI,

District Attorney.

A TRUE BILL.

John E. Fulton

Foreman.

*Part 3. Sec 529
Pleas Guilty E. R. 22deg*

S. P. 21 yd.

0000

(1905)

Police Court—4 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 240 East 28 Street, aged 26 years,
 occupation Hook being duly sworn,
 deposes and says, that on the 9th day of March 1897 at the City of New
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession
 of deponent, in the night time, the following property, viz:

One Suit of Clothes, One Silver
 Watch and Chain, One Pair of Shoes
 Two neckties, Two Shirts and Socks
 and three uppers, all together of
 the value of about fifty dollars
 and four dollars and thirty five cents
 and one hundred money of the United States
 all the amount of fifty four ²⁵/₁₀₀
 dollars.

the property of Deponent

and that this deponent
 has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen
 and carried away by William Du Vallandmeyer
 from the fact that deponent met said
 defendant on said date at about
 the hour of 2 A.M. and to said
 defendant a bedroom room in the
 above premises where said property
 was. Deponent on making search
 the said property. Deponent is informed
 by Officer Robert Robinson of the Central
 Office that he arrested the said defendant
 and found in his possession a number of
 pawn tickets representing said property
 as said defendant had informed said
 Robinson that such tickets represented said
 property. Deponent therefore asks that said defendant
 may be dealt with as the law directs.

Fred Hertel.

of

Sworn to before me, this

day

1897

William Du Vallandmeyer
 Police Justice.

0801

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK } ss.

Arthur McCallan being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *Arthur McCallan*

Question. How old are you?

Answer. *31 1/2 years*

Question. Where were you born?

Answer. *Ireland*

Question. Where do you live, and how long have you resided there?

Answer. *Stanwix House 65 Street 73rd Street*

Question. What is your business or profession?

Answer. *Restaurant*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer. *I am not guilty*

Arthur McCallan

Taken before me this
day of *November* 1934

J. J. McGuire
Police Justice.

0002

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named John J. McQuinn

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of
 \$100.00 Hundred Dollars, and be committed to the Warden and Keeper of
 the City Prison of the City of New York, until he give such bail.

Dated, 11/27 1897 _____ Police Justice.

*I have admitted the above-named _____
to bail to answer by the undertaking hereto annexed.*

Dated, 189..... *Police Justice.*

There being no sufficient cause to believe the within named
 guilty of the offense within mentioned, I order he to be discharged.

Dated, 189..... *Police Justice.*

080

1464
1884

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thos. Hertzler
240 & 28
(Arthur M. McCallum)

Offense

1
2
3
4

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated, *Apr 27*, 189*2*

Wm. McCallum Magistrate.

Sullivan McCallum Officer.

C.C. Precinct.

Witnesses *Officer Beller*

No. *18* *Princeton* Street.

No. Street.

No. Street.

\$ *1000* to answer *C.P.*

C.W.
4-2-1
W.H.

0804

1377

CITY AND COUNTY }
OF NEW YORK, } ss.

Martin Robinson
aged 2 years, occupation Police Officer of No.
Central Office Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Fred Heubler
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 27 day of Nov, 1892 } Martin Robinson

W. H. Smith
Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Arthur McClellan

The Grand Jury of the City and County of New York, by this indictment, accuse

Arthur McClellan

of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said *Arthur McClellan*,

late of the *21st* Ward of the City of New York, in the County of New York aforesaid, on the *ninth* day of *November* in the year of our Lord one thousand eight hundred and ninety-*two*, in the night time of the same day, at the Ward, City and County aforesaid, with force and arms,

one coat of the value of ten dollars, one vest of the value of five dollars, one pair of trousers of the value of five dollars, one watch of the value of fifteen dollars, one chain of the value of ten dollars, one pair of shoes of the value of five dollars, two neckties of the value of one dollar each, two shirts of the value of one dollar each, one jacket of the value of two dollars, three aprons of the value of fifty cents each, and the sum of four dollars and twenty-five cents in money lawfully money of the United States of America, and of the value of four dollars and twenty-five cents of the goods, chattels and personal property of one Frederick Hertzler

in the dwelling house of the said

Frederick Hertzler

there situate, then and there being found, from the dwelling house aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

Arthur Mc Clellan
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:
The said *Arthur Mc Clellan*

late of the *21st* Ward of the City of New York, in the County of New York
aforesaid, on the *ninth* day of *November* in the year of
our Lord one thousand eight hundred and ninety-*two* at the Ward, City and
County aforesaid, with force and arms,

*the same goods, chattels and
personal property described
in the first count of this
indictment*

of the goods, chattels and personal property of one

Frederick Kertzer

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before
feloniously stolen, taken and carried away from the said

Frederick Kertzer

unlawfully and unjustly did feloniously receive and have; the said

Arthur Mc Clellan
then and there well knowing the said goods, chattels and personal property to have been
feloniously stolen, taken and carried away, against the form of the statute in such case made
and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0007

BOX:

502

FOLDER:

4580

DESCRIPTION:

McDonald, Kiernan

DATE:

11/21/92



4580

0000

Witnesses:

Rev. R. L. ...

205

Counsel,

Filed, *21st* day of *Nov* 189*2*

Pleads,

for guilty

THE PEOPLE

vs.

B

Sherman Ho Donald

VIOLATION OF THE EXCISE LAW
(Selling to Minor)
[Chap. 401, Laws of 1892, § 32]

SUPREME COURT PART 1,
December 22 1899
INDICTMENT DISMISSED.

DE LANCEY NICOLL

District Attorney.



John G. Fallon

Foreman.

FILED 11 0.15
1899

Police Court 4th District.City and County } ss.
of New York.

George R. Clark
 of No. 76 Lexington Avenue Street, aged ... years,
 occupation *Admiral* being duly sworn, deposes and says,
 that on the 30th day of August 1892, at the City of New
 York, in the County of New York, at *Edison* *Salon* *Salon*
 on premises No 343 First Avenue and
 otherwise known as the south-west corner
 of Thirtieth Street and First Avenue
 one John Lee (real name *Lee*
 known) *a man about 30 years old and light mustache*
 did then and there un-
 lawfully and willfully sell
 and deliver a quantity
 of *Part* *and* *of* *clay* *been* to a certain
 minor child actually and
 apparently under sixteen
 years, to wit of the age
 of six years called John Hurley
 said child then and there
 being unaccompanied by
 his parent or guardian
 in violation of the Statute
 in such case made and
 provided and especially of
 Section 290 of the Penal Code
 of the State of New York.

Wherefore deponent prays
 said John Lee may be
 apprehended, arrested and
 dealt with according to
 to law.

Sworn to before me, this
 31st day of August 1892. } *George R. Clark*
Charles H. Lister
Police Justice

0810

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Kerran Mc Donald being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *Kerran Mc Donald*

Question. How old are you?

Answer. *31 Years*

Question. Where were you born?

Answer. *Ireland*

Question. Where do you live and how long have you resided there?

Answer. *350 East 20th Street, 4 months*

Question. What is your business or profession?

Answer. *Barber*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer. *I am not guilty*

Kerran Mc Donald

Taken before me this

day of

189

at

City of New York

Police Justice.

0811

Sec. 151.

Police Court Fourth District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*
OF NEW YORK, } *of New York, or to any Marshal or Policeman of the City of New York, GREETING:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by George R. Clark

of No. 76 Lexington Avenue Street, that on the 30 day of August

1892 at the City of New York, in the County of New York, at high noon saloon situate
at the premises No. 343 First Avenue, otherwise
known as the south-west corner of Twenty-fifth Street
and First Avenue, one John have been real
name unknown to and there
unlawfully and willfully sell and
deliver a pint of Lager Beer to a certain
minor child called John H. Miller said child
then and there being actually and
under the age of sixteen years and apparently
age of six years in violation of the statute
such case made and provided and special section 20 of the
must code

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to
answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant, and bring him
forthwith before me, at the 4th District Police Court, in the said City, or in case of my absence
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to
be dealt with according to law.

Dated at the City of New York, this 31 day of August 1892.

Charles W. Hamilton POLICE JUSTICE.

001

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs

Warrant-General.

Dated 188

Magistrate.

Fair

Officer.

The Defendant Ken McDonald
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

Officer.

Dated September 2 188, 2

This Warrant may be executed on Sunday or at
night.

Charles N. Lister Police Justice.

REMARKS.

Time of Arrest, September 2

Native of

Age,

Sex,

Complexion,

Color,

Profession,

Married,

Single,

Read,

Write,

0813

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant

John guilty of, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Sept 2 1892 W. A. Brady Police Justice.

I have admitted the above-named Defendant to bail to answer by the undertaking hereto annexed.

Dated September 2 1892 W. A. Brady Police Justice.

There being no sufficient cause to believe the within named Defendant guilty of the offence within mentioned, I order he to be discharged.

Dated Sept 2 1892 W. A. Brady Police Justice.

08 11

Selling to Minor.

1116

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Propr. R. Clark

1 *William McDonald*

2

3

4

Greiner
Officer

Dated

Sept 2

18*92*

Magistrate.

Officer.

Precinct.

Witnesses.

No.

No.

No.

%

to answer

Street.

Bail

BAILED.

No. 1, by

Christopher Boylan

Residence

The Wellington Mad. Ave 42 Street.

No. 2, by

Residence

Street.

No. 3, by

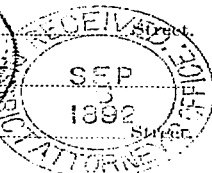
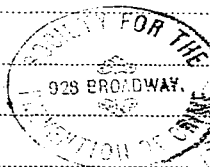
Residence

Street.

No. 4, by

Residence

Street.



08 15

State of New York,
City and County of New York,

55.

George R. Clark

of No. *76 Lexington Avenue* Street, being duly sworn, deposes and says,
that *Kennan McDonald* (now present) is the person of the name of
John Doe mentioned in deponent's affidavit of the *31*
day of *August* 188*8* hereunto annexed.

Sworn to before me this

day of

Sept 7 188*8*

George R. Clark

W. A. [Signature] POLICE JUSTICE.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Kiernan Mc Donald

The Grand Jury of the City and County of New York, by this indictment, accuse

Kiernan Mc Donald

of the crime of SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER
TO A CHILD actually and apparently under the age of sixteen years, committed as follows :

The said

Kiernan Mc Donald

late of the City of New York, in the County of New York aforesaid, on the 30
day of August — in the year of our Lord one thousand eight hundred and
ninety-two — , at the City and County aforesaid, certain strong and spirituous liquors,
and certain wines, ale and beer, to wit: one gill of wine, one gill of brandy, one gill of rum, one
gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of
porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous
liquor to the Grand Jury aforesaid unknown, unlawfully did sell to one *John Hurley*
who was then and there a child actually and apparently under the age of sixteen years, to wit:
of the age of *Six* years, against the form of the statute in such case made and provided,
and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0817

BOX:

502

FOLDER:

4580

DESCRIPTION:

McDonnell, Patrick

DATE:

11/22/92



4580

Witnesses:

Mary Seungling

Counsel,

Filed 22nd day of Nov 1892

Pleas, Mary, Dad

THE PEOPLE

31st Dec. 1892
35th Dec. 1892

Patrick J. McConnel

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

John G. Fallon

Foreman.

Part-3. Dec. 6/92
Pleas Burg 3rd day 72.
Nov 6th and.

Copyright in the Second Degree
[Section 50, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100]

0018

Court of General Sessions.

The People re. }
 against } Affadavit.
P. H. McDonnell

City and County of New York ss:

James Oakes,
 being duly sworn says that he resides
 at No 177 Tenth Avenue ~~Street~~, in the City of
 New York, and is Foreman for Oct. Nine O
 Union Labor Co at No. 521/525 West 21st Street in said
 City, and that he has known the
 defendant above named, intimately
 for ~~the~~ about the past fifteen years,
 and knows his associates, and that
 he has a wife and five children
 depending upon him for support, and
 has always borne a good ~~reput~~ character
 for honesty and industry.

James Oakes

Sworn to before me this {
 10th day of December 1892 {
 Alfred H. P. Hepper {
 Commissioner of Deeds {
 New York Co

Court of General Sessions.

The People vs. }
 against }
B.H. McDonnell. } Affiant.

City and County of New York ss:

Thomas Alden
 being duly sworn says that he resides at
 No. ~~412~~^{412 1/2} West 24th Street, in the City of
 New York, and that he is engaged in
 the Ice business at 576 West 21st Street
 in said City, and that he has known
 the defendant above ^{intimately} named, for about
 ten years, and knows his associates
 and that he has a wife and five children
 depending upon him for support, and
 that he has always borne a good character
 for honesty and industry.

That defendant worked
 for defendant for ten years,
 and that he always found
 him honest.

Sworn before me
 this 10th day of December, 1892

Thos J. Alden

Alfred Bindsall

Notary Public,
 N.Y. County.

Court of General Sessions.

The People vs. }
 against }
C. H. McDonnell. } Affiant.

City and County of New York :-

Charles A.

Which being duly sworn says
 that he resides at 344 West 19th Street
 and is engaged in the Ice business
 at numbers 521, 523, and 525 West
 21st Street, in said City, and that
 he has known defendant above
 named for the ^{past} fifteen years,
 and that he knows his associates,
 and that defendant has
 always borne a good character
 for honesty and industry.

Sworn before
 on this 10th day of December 1892

Charles A. Welch.

Amos B. Deane.

Notary Public.

N.Y. County.

Court of General Sessions.

The People vs. }
 against }
P. H. McConnell. } Affidavit.

City and County of New York fo:

Edward Holten
 being duly sworn says, that he resides at
 42nd West 16th Street, in the City of New York,
 and that he has known the defendant
 above named since boyhood, and knows
 his associates, and that ~~he~~^{defendant} has a wife
 and five children depending upon
 him for support, and that he has
 always borne a good character for
 honesty and industry.

Sworn to before me this 10th day of December.

1892 -

Wm. B. B. B. B.
 Notary Public.
 N.Y. City

District Attorneys Office.
City & County of
New York.

People

18

J. H. M^r Donald

City & County of New York

Sam^l B. M^r ^{Totten} ~~Donald~~

being duly sworn says, that he
an officer of the Municipal Police
Force, that has investigated
the character of the above
named, & has found that he has
been a first class character
for honest service ~~at~~ ⁱⁿ the
force, that he has always
worked hard for a living & has
a wife & large family of children,
that he has never been
arrested before

sworn to before
me this 6 day of Dec
1892

Henry C. Coleman Samuel B. Totten
Notary Public

Court of General Sessions

*The People of the
State of New York*

Plaintiff,

against

C. H. McDonnell

Defendant

*Affidavite of
Character*

HUGH COLEMAN

Attorney for *Sept.*

No. 287 BROADWAY,

NEW YORK CITY.

Entered by Elevator Co., Rende St.

Due and timely service of copy of the within

hereby admitted

this

day of

18

Attorney.

To

0825

Police Court—Fourth District.City and County } ss.:
of New York, }of No. 1730 Broadway Street, aged 27 years,
occupation Architectdeposes and says, that the premises No. 1730 Broadway Street, 22 Ward
in the City and County aforesaid the said being a five story brick
charment houseand which was occupied by deponent as living apartments
and in which there was at the time human beings by name deponent andthe servant Mary Seagling
were BURGLARIOUSLY entered by means of forcibly opening the
door leading from the rear stair way into
the kitchen of the apartmenton the 19 day of November 1892, in the day time, and the
following property feloniously taken, stolen, and carried away, viz:Good and lawful money of the United States of
the amount and value of twenty one ³⁰ dollars
one brass medal, two handkerchiefs, a large
piece of flannel and one clock each, the
property being altogether of the value
of about forty dollarsthe property of deponent's servant, and in deponent's
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by
Patrick M. Donnell (now here)

for the reasons following, to wit:

That the doors and windows
leading into the apartment were securely
locked and fastened with the exception
of the aforesaid door leading into the kitchen
which door was closed. That the said
property was in the servant's room. That
at about the hour of 3 o'clock P.M. deponent
was in the house and in one of the rooms
and heard an outcry and immediately

went back and found the defendants
in the aforesaid room with the
property in this possession and
in his person. Thereupon he
the defendants and sent for an officer
and caused the arrest of the defendants
and charged him with burglary
entering the premises as aforesaid
and feloniously taking stealing and
carrying away the said property and
praying that the defendants be dealt
with according to law.

Spoken before me
this 20th day of November 1897

Samuel Blum

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1888
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated 1888
Police Justice.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—BURGLARY.

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses.

No. Street.

No. Street.

No. Street.

\$ to answer General Sessions.

0027

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

Patrick McDonnell being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is his right to
make a statement in relation to the charge against him that the statement is designed to
enable him if he see fit to answer the charge and explain the facts alleged against him
that he is at liberty to waive making a statement, and that his waiver cannot be used
against him on the trial.

Question. What is your name?

Answer. *Patrick McDonnell*

Question. How old are you?

Answer. *31 yrs*

Question. Where were you born?

Answer. *New York City*

Question. Where do you live, and how long have you resided there?

Answer. *635 1/2 West 16 St. - 10 years*

Question. What is your business or profession?

Answer. *Driver*

Question. Give any explanation you may think proper of the circumstances appearing in the
testimony against you, and state any facts which you think will tend to your
exculpation?

Answer. *I am innocent*

Patrick M^cDonnell

Subscribed before me this
1887
James H. McGuire
Police Justice.

0828

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named.....

Defendant
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *fifteen* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, *Dec 15* 189..... *John B. Jones* Police Justice.

I have admitted the above-named.....

to bail to answer by the undertaking hereto annexed.

Dated, 189..... Police Justice.

There being no sufficient cause to believe the within named.....

..... guilty of the offense within mentioned, I order h to be discharged.

Dated, 189..... Police Justice.

082

1442
1334

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Kerman W. Taylor
171 Broadway
Rich. W. Merrill

Offense

Barry

BAILED,

No. 1, by.....
Residence..... Street.

No. 2, by.....
Residence..... Street.

No. 3, by.....
Residence..... Street.

No. 4, by.....
Residence..... Street.

2.....
3.....
4.....

Dated, *Nov 20* 189 *2*
Smith Magistrate.
Totten Officer.
32 Precinct.

Witnesses *Mary Cunningham*
No. *171 Broadway* Street.

No. Street.

No. Street.

\$ *15.00* to answer

Corn *3*
13-12
68

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Patrick McDonnell

The Grand Jury of the City and County of New York, by this indictment, accuse

Patrick McDonnell

of the CRIME OF BURGLARY in the *second* degree, committed as follows:

The said

Patrick McDonnell

late of the *52nd* Ward of the City of New York, in the County of New York aforesaid, on the
19th day of *November* in the year of our Lord one
thousand eight hundred and ninety-*two*, in the *day* time of the same day, at the
Ward, City and County aforesaid, the dwelling house of one

Herman W. Hoefler

there situate, feloniously and burglariously did break into and enter, there being then and there a
human being within the said dwelling house, with intent to commit some crime therein, to wit: the
goods, chattels and personal property of the said

Herman W. Hoefler

in the said dwelling house then and there being, then and there feloniously and burglariously to steal,
take and carry away,

3

against the form of the statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment further accuse the said

Patrick McDonnell
of the CRIME OF *Grand LARCENY in the second degree*, committed as follows:
The said *Patrick McDonnell*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the Ward, City and County aforesaid, in the *day* time of the said day, with force and arms,

*the sum of twenty-one dollars and
thirty cents in money, lawful
money of the United States of
America, and of the value of
twenty one dollars and thirty
cents*

of the goods, chattels and personal property of one

Herman W. Hoefen

in the dwelling house of the said

Herman W. Hoefen

there situate, then and there being found, from the dwelling house aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Laurey Nicoll,
District Attorney

0032

BOX:

502

FOLDER:

4580

DESCRIPTION:

McGarry, John

DATE:

11/25/92



4580

0033

BOX:

502

FOLDER:

4580

DESCRIPTION:

Brock, Michael

DATE:

11/25/92



4580

POOR QUALITY
ORIGINAL

Witnesses:

J. M. Ogan
Opp. Mar 22

Paul fix at 401
by Const. City of
Rich. Atty \$2500

Jan 19 to 93

239

Counsel,

Filed

day of

J.S.
1892

Pleads,

THE PEOPLE
vs.
John Mc Garry
Michael Brock

DE LANCEY NICOLET

Ordnell L. District Attorney
at by and
A. T. B. B. B. B.

John E. Poirier

Foreman.

March 2nd 1898
Paul discharged

Ordered to the Court of
for trial

0035

Police Court 4 District.

City and County of New York.

of ~~the~~ 22 Precinct
occupation Detective

Frank J. Morris
Street, aged years,

that on the 18 day of October 1897, at the City of New York, in the County of New York, he arrested

John McGarry and Michael Brock both now here, charged with Homicide, causing the death of one William Henry for the following reasons to wit: That Dependent is informed by Philip Garrigan, William Egan and Joseph W. Plunkett that on the 17th of October about the hour of 10 O'clock P.M. the defendant McGarry and said Henry were engaged in a boxing match with gloves. That the defendant Brock was second for said Henry. That after being engaged in the said boxing match for about twenty minutes, said Henry could not get up and was attended by a physician. That during the progress of the said boxing match the defendant McGarry struck said Henry several blows. That Dependent is further informed by Louis Bokkris that the Bokkris attended said Henry and found him lying, suffering from concussion of the brain probably caused by a blow or a fall. Dependent is further informed by Garrigan, Egan and Plunkett, that the defendant Brock was the second of said Henry and was engaged in handling said Henry at the time of the said boxing match, and was Henry's assistant. Dependent further says that he saw Henry about the hour of 4th O'clock A.M. and that at that time said Henry was alive but unconscious. That Dependent again visited Henry about the hour of 1st O'clock P.M. and said Henry was dead and a coroner sent his body

Police Court **District.**City and County } ss.
of New York.

of No. Street, aged years,
 occupation being duly sworn, deposes and says,
 that on the day of 189 , at the City of New
 York, in the County of New York,

Wherefore deponent charges the said
 defendants Mahoney and Brock
 with willfully causing the death of
 said William J. Henry and says that
 said defendants he dealt with as
 the last directs

Given before me
 this 18th day of October 1895

Charles J. ...
 ...

0037

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

John McGarr being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *John McGarr*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *New York City*

Question. Where do you live and how long have you resided there?

Answer. *6706 - 9th Avenue - 10 years*

Question. What is your business or profession?

Answer. *Groom*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer. *I am not guilty. I waive further examination*

John McGarr

Taken before me this

day of *July* 1909

Charles J. Conner

Police Justice.

0038

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Michael Brock

being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

Michael Brock

Question. How old are you?

Answer.

19 years old

Question. Where were you born?

Answer.

New York City

Question. Where do you live and how long have you resided there?

Answer.

6504-6 Avenue 2 years

Question. What is your business or profession?

Answer.

Work in carpet factory

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer.

I am innocent and waive further examination.

Michael Brock

Taken before me this

day of

189

Charles J. Smith
Police Justice.

0039

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named.....

guilty thereof, I order that Refused without bail ~~he be held to answer the same and be admitted to bail in the sum of~~
~~Hundred Dollars, \$100~~ and be committed to the Warden and Keeper of
 the City Prison, of the City of New York, ~~until he give such bail.~~

Dated October 19 1892 Charles N. Linter Police Justice.

I have admitted the above-named.....
 to bail to answer by the undertaking hereto annexed.

Dated.....188..... Police Justice.

There being no sufficient cause to believe the within named.....
 guilty of the offence within mentioned, I order h to be discharged.

Dated.....188..... Police Justice.

without bail for Oct. 17/92. 10 AM.

230
Police Court --- *H* District. *1376*

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Frank Morris
vs.
John McGowan
Nicholas Brock

BAILED,
No. 1, by *Edward Higgins*
Residence *608 E 15th* Street.
No. 2, by *John P. Rooney*
Residence *104 W. 40th* Street.
not rebailed
No. 3, by *John Hoctor*
Residence *149 West 51st* Street.
No. 4, by _____
Residence _____ Street.

Dated *Oct 18 92*
Magister Magistrate.
Morris Officer.
22 Precinct.

Witnesses
Philip Garrison
226 West 50 Street.
John Egan
822 Seventh Ave.
No. _____ Street.
Joseph H. Plunkett
166 East 67 Street.
without bail to answer

Witnesses:
Dr. Geo. L. Hopkins
233 W. 54th St
Henry N. Heimerman, M.D.
60 W 56th St
Mrs. Higgins, mother of deceased
53 West 64th Ave. S. Side.
Wm. H. Egan. 216 W 36th St.
Wilbert Buchanan 853 Seventh Ave.

Comm

0841

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

aged 26 years, occupation Driver of No.

226 West 50 Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Frank Thomas

and that the facts stated therein on information of deponent are true of deponent's own

knowledge.

Sworn to before me, this

day of

189

Charles N. Lantier
Police Justice.

0842

1877

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 36 years, occupation Merchant of No.

115 West 53 Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Frank Morris

and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this

day of April 189

William Egan

Charles W. Tamm
Police Justice.

0843

CITY AND COUNTY }
OF NEW YORK, } ss.

1377

aged 30 years, occupation Barkeeper of No. 66 East 64

Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Frank Morris
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this

day of

189

Charles M. Linton
Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John McFary and
Michael Canada*

The Grand Jury of the City and County of New York, by this indictment accuse *John McFary and Michael Canada* —

of the crime of *Manslaughter in the first degree*, —
committed as follows:

The said *John McFary and Michael Canada*, —

late of the City of New York, in the County of New York aforesaid, on the *seventeenth* day of *October*, in the year of our Lord one thousand eight hundred and ninety-*two*, — at the City and County aforesaid, in and upon one *William J. Henry*, then and there being, *willfully and feloniously* did make an assault, and the said *John McFary* with the said *William J. Henry*, with the hands of him the said *John McFary*, in and upon the head and body of him the said *William J. Henry*, then and there *willfully and feloniously* did strike, beat and wound, and with the hands of him the said *John McFary* did then and there *push, cast and throw* the said

William of Neary, with great force and violence down into and upon the ground there, giving unto him the said William of Neary then and there, as well by the striking, beating and murthering of, him the said William of Neary with the hands of him the said John McTernan, in manner aforesaid, as also by the pushing, casting and throwing of him the said William of Neary down into and upon the ground as aforesaid, in and upon the road and body of him the said William of Neary, divers mortal wounds, bruises and contusions, of which said mortal wounds, bruises and contusions the said William of Neary from the said seventeenth day of October in the year aforesaid, until the eighteenth day of October, in the same year aforesaid, at the City and Country aforesaid, did languish, and languishing did live, on which said eighteenth day of October, in the year aforesaid, the said William of Neary, at the City and Country aforesaid, of the said mortal wounds, bruises and contusions, did die.

And the said Michael Brock, then and there, to wit: on the said seventeenth day of October in the year aforesaid, at the City and Country aforesaid, unlawfully and feloniously

was present, aiding, helping, abetting, counselling,
assisting and maintaining the said John
McGarry the felon and manslaughterer
aforesaid in manner and form aforesaid,
to do and commit.

And as the Grand Jury aforesaid do
say: That the said John McFarney and
Michael Coroda, twin the said William
J. Henry, in manner and form and by the
means aforesaid, willfully and feloniously
did kill and slay, against the form of
the Statute in such case made and
provided, and against the peace of the
People of the State of New York, and
their dignity.

Deane H. H. H.

District Attorney

0847

BOX:

502

FOLDER:

4580

DESCRIPTION:

McGowan, James

DATE:

11/16/92



4580

Witnesses:

Off. Money 1/2

Counsel,

Filed

Pleads,

189

THE PEOPLE

vs.

Grand Larceny, Degree.
(From the Person)
[Sections 525, 530
Penal Code.]

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Fallon

Foreman.

Head of

Grand Jury

Police Court

3rd District.

Affidavit—Larceny.

City and County } ss:
of New York,

of No. 29 Chrystie Street, aged 45 years,
occupation Salesman being duly sworn,

deposes and says, that on the 9th day of November 1897 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away

from the possession of deponent, in the following property, viz:

One Overcoat One Coat and vest
One Jacket One hat One pair
of eye glasses and good
and lawful money to the
amount of one dollar in
all of the value of twenty
five dollars

J. J. 105

the property of

Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by

John J. Brown from the fact that at
about one o'clock A.M. said
date deponent fell asleep in
the closet of the premises so
J. Brown that deponent was
then wearing the said property
on his person, that at about
3 o'clock A.M. deponent awoke
and the said property was
missing.

Deponent is informed
by Officer William Murray that he
arrested the defendant and found
on his person a jacket answering

Subscribed before me, this
1897 day of
Police Justice

the description of deponent
 deponent further says that
 he has since seen the jacket
 found on the person of the defendant
 and fully identifies it as his
 property and the property formerly
 taken from and carried away
 from the person of deponent on the
 said date.
 Given to before me } John Maest
 this 11th day of Nov 1842

Attest
 Police Justice

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

James McGowan being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

James McGowan

Question. How old are you?

Answer.

46 years

Question. Where were you born?

Answer.

Freeland

Question. Where do you live and how long have you resided there?

Answer.

304 Henry St

Question. What is your business or profession?

Answer.

Retiographer

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer.

I am not guilty
James McGowan
Thurs

Taken before me this

day of *Nov* 11 1892

Police Justice.

0852

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named W. J. O'Leary

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 725 Hundred Dollars. and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, 189

Police Justice.

I have have admitted the above-named to bail to answer by the undertaking hereto annexed.

Dated, 189

Police Justice.

There being no sufficient cause to believe the within named

guilty of the offense within mentioned, I order he to be discharged.

Dated, 189

Police Justice.

1416

Police Court

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

San Diego
22 Chicago
and several

officer
Wm. J. [unclear]

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

2
3
4

Dated, *Nov 11* 18*99*
Hofman Magistrate.

Smith, Wm. J. Officer.

Witnesses *Call Officer*
No _____ Street.

No. _____ Street.

No. _____ Street.

\$ *500* to answer *Call*

Call

0854

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

Am Womer
aged *11* years, occupation *Police Officer* of No. *11*
Breunel Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *John Mack*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this *11* day of *William Murray*
of *11* 189*2*

W. H. Brown
Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Mc Gowen

The Grand Jury of the City and County of New York, by this indictment, accuse

James Mc Gowen
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

James Mc Gowen

late of the City of New York, in the County of New York aforesaid, on the *ninth* day of *November* in the year of our Lord one thousand eight hundred and ninety-*two*, in the *night* time of the said day, at the City and County aforesaid, with force and arms,

one overcoat of the value of ten dollars, one coat of the value of eight dollars, one jacket of the value of two dollars, one vest of the value of four dollars, one hat of the value of two dollars, one pair of eye-glasses of the value of one dollar, and the sum of one dollar in money, lawful money of the United States of America, and of the value of one dollar

of the goods, chattels and personal property of one *John Mack* on the person of the said *John Mack* then and there being found, from the person of the said *John Mack* then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

James McGowan
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

James McGowan
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,

the same goods, chattels and personal property, described in the first ~~second~~ count of this indictment.

of the goods, chattels and personal property of one

John Mack
by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said

John Mack
unlawfully and unjustly, did feloniously receive and have; the said

James McGowan
then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0857

BOX:

502

FOLDER:

4580

DESCRIPTION:

McGregor, Alexander

DATE:

11/21/92



4580

Witnesses:

Geo. R. Beland

Counsel,

Filed, *21* day of *Mar* 189*2*

Pleas,

Verdict

THE PEOPLE

vs.

B

Alexander Mc Gregor

transferred to the Court of Special Sessions for trial and final disposition

Printed & Published by J. E. ... 1897

VIOLATION OF THE EXCISE LAW.
[Chap. 101, Laws of 1892, § 32].
Selling, etc., on Sunday.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. ...

Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Alexander Mc Gregor

The Grand Jury of the City and County of New York, by this indictment, accuse

Alexander Mc Gregor
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

Alexander Mc Gregor

late of the City of New York, in the County of New York aforesaid, on the *eleventh* day of *September* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

Alexander Mc Gregor
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Alexander Mc Gregor

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

George B. Clark
and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0060

BOX:

502

FOLDER:

4580

DESCRIPTION:

McInerney, James

DATE:

11/30/92



4580

Giuseppe Chiaravalle

This dept is an expected primer from
Cath. Proter. I was
returned to Proter.,
under old commitment
B.H.

polity

27

Pleads,

THE PEOPLE

512

Grand Larceny, (From the Person.) (Sections 628, 631 Penal Code.)

Dr LANCEY NICOLL.

District Attorney.

A TRUE BILL.

John C. Rollins

Foreman,

~~Entire~~ Sentence suspended
B.M.

0061

0862

(1305)

Police Court— / District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Giuseppe Chiaravattoli
 of No. *114 Mulberry* Street, aged *34* years,
 occupation *Laborer* being duly sworn,
 deposes and says, that on the *24* day of *Nov* 189*2* at the City of New
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession
 of deponent, in the *day* time, the following property, viz:

*A brass chain valued at
 Twenty five cents*

Sworn to before me, this

of

1892

day

the property of

Deponent

and that this deponent
 has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen
 and carried away by *James Mc Garry (now here)*
 for the following reasons on said date deponent
 was standing in front of no 114 Mulberry Street
 and he had the said chain attached to the
 rest that he then wore - the defendant
 approached him and snatched said chain
 from said rest and ran away with it
 deponent pursued him and caught him
 and recovered said chain from said defendant
 and caused his arrest.

Chiaravattoli Giuseppe

John J. ...
 Police Justice.

0063

Sec. 198—200.

1882
District Police Court.

City and County of New York, ss:

James McInerney being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him, if he see fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

James McInerney

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

New York

Question. Where do you live, and how long have you resided there?

Answer.

166 Hudson St 2 years

Question. What is your business or profession?

Answer.

Lamp maker

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer.

I am not guilty
James McInerney

Taken before me this

day of

1892

Police Justice.

0064

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

Defendant

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 100 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Nov 21 1891 Wm. H. ... Police Justice.

I have admitted the above-named to bail to answer by the undertaking hereto annexed.

Dated, Nov 21 1891 Wm. H. ... Police Justice.

There being no sufficient cause to believe the within named guilty of the offense within mentioned, I order he to be discharged.

Dated, Nov 21 1891 Wm. H. ... Police Justice.

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Giuseppe Chiarototi
James McInerney

1475
1894
from the person
Offense *Larceny*

BAILED,

No. 1, by.....

Residence Street.

No. 2, by.....

Residence Street.

No. 3, by.....

Residence Street.

No. 4, by.....

Residence Street.

Dated, *Nov 25* 189*2*

McMahon Magistrate.

Barry Officer.

Precinct.

Witnesses *Philip Bonartaro*

No. Street.

No. Street.

No. Street.

* *100* to answer *48*

James McInerney

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James McInerney

The Grand Jury of the City and County of New York, by this indictment, accuse

James McInerney
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said

James McInerney
late of the City of New York, in the County of New York aforesaid, on the *24th*
day of *November* in the year of our Lord one thousand eight hundred and
ninety *two*, in the day-time of the said day, at the City and County aforesaid,
with force and arms,

one chain of the value
of twenty-five cents

of the goods, chattels and personal property of one *Giuseppe Chiaravalloti*
on the person of the said *Giuseppe Chiaravalloti*
then and there being found, from the person of the said *Giuseppe Chiaravalloti*
then and there feloniously did steal, take and carry away, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

De Lancey McCall,
District Attorney.

0867

BOX:

502

FOLDER:

4580

DESCRIPTION:

McKenzie, George

DATE:

11/30/92



4580

0868

POOR QUALITY
ORIGINAL

Witnesses:

off. Carey C.O.
Elma. Vickery

Counsel,

Filed 30 day of June 1898

Pleals,

from New York and
THE PEOPLE

19 Washington St
38 Penfield P

George McKenzie

Number 1000
June 1898

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

John E. Sullivan

Part 2 - June 16, 1898
Brid and corrupted of
manslaughter 2nd Degree.
Ed diff June 29/98

COURT OF GENERAL SESSIONS OF THE PEACE,
CITY AND COUNTY OF NEW YORK.

THE PEOPLE

VS.

GEORGE McKENZIE.

BEFORE

Hon. FREDERICK SMYTH,

AND A JURY.

TRIED, NEW YORK, JUNE 14TH, etc., 1893.

INDICTED FOR MURDER IN THE FIRST DEGREE.
INDICTMENT FILED NOVEMBER 30TH, 1892.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY THOMAS J. BRADLEY,

For THE PEOPLE.

LEWIS S. CHANLER, ESQ.,
JAMES W. McLOUGHLIN, ESQ.,

For THE DEFENSE.

HENRICA QUELL testified that she was the mother of the deceased, Henry Quell. She lived at 17 Washington Street. On February 10th, 1892, she lived at 45 Washington Street. She saw her son, Henry Quell, last on February 10th, between 3 and 4 o'clock in the afternoon, in the yard of 43 Washington Street. There were other boys in his company, at the time. She left her house about half-past 4 o'clock on that afternoon. She worked for a living at office cleaning. She was a widow at that time, but is now married. On the night of February 10th last, her son did not return. She knew the defendant, George McKennie over four years. Her son and the defendant were companions. About four or five days after her son was missed, she met the defendant who had a conversation with her. The defendant asked her if her boy "showed up." The witness said, "No." The defendant said, "Well, if he had been arrested, there would have been word sent to you. I was arrested once, and word was

was sent to my mother." Up to that time the witness hadn't told the defendant anything about her son being missed. The defendant subsequently asked the witness if her boy had "showed up yet," and the witness answered, "No, and I don't know where to look for him." The defendant said, "Well, I know a couple of good detectives, and I will see that they will do for you." He also said that her son "Might show up in a couple of days again." She next saw the body of her son at Duff's the undertaker's, in Greenwich Street, on the day of the funeral, April 12th. She identified the body as that of her son. Her son was 15 years old and never, but once, remained out all night. In

C r o s s E x a m i n a t i o n

the witness testified that her son worked in a brick yard in the country, one summer, and a couple of months in a candy factory, in Harrison Street, and, just before his death, he worked in

27 Beekman Street. It was not true that her son often absented himself from home. Hewas not discharged from the brick yard for assaulting the proprietor.

MICHAEL BOWE testified that he is 20 years old, and lives at 18 Morris Street, around the corner from where Henry Quail lived. The last time he saw the deceased was on January 10th, in the yard of No. 43, Washington Street. The defendant and the deceased and the witness were playing "Roly-poly in the hat," or throwing a rubber ball in the hat. That was about 3 o'clock in the afternoon. He, the witness, was not with him later than that hour, but went to sell his papers, he being a newsboy. He left the defendant and the deceased there together. This was about two or three weeks before the deceased was missed. He was in the habit of seeing the deceased every day, but

5
that was the last time he saw him. He remembered the next day, after he saw the deceased last, he had a conversation with the deceased's mother. He did not see the deceased in the yard that day. He was dissatisfied. In the course of the conversation with the deceased's mother, he told her that he hadn't seen the deceased.

C R O S S E X A M I N A T I O N

(None.)

ANTHONY J. KEHOE testified that he lived at Governor's Island. He lived there 8 years. Before living there he lived at 5 Washington Street. He was acquainted with the defendant, and had known him a year last Spring. He also knew the deceased by sight only. He did not remember the time when the body of the deceased was found. He heard it reported around the street that the deceased was

missing. Between the time that the deceased was missed and the time that his body was found, he met the defendant. He met the defendant about two weeks before the deceased's body was found, on the corner of Broadway and Rector Street. The witness said to the defendant, "I hear you had some trouble in Wall Street?" the defendant said, "Yes; I took the money and did not go back." Then the defendant took the witness aside, and asked him what he, the witness, thought of a fellow murdering his best friend. The witness said nothing. Then the defendant said, a friend of his told him where he could see the body, and he went there and saw it. The words, "The body" referred to the deceased. The defendant asked the witness if the witness knew the deceased, and he also said, that it was the deceased's body. The conversation was held on Sunday night, at 8 o'clock. The witness, continuing, testified, "About two or three nights later we were walking down Washington Street, until we came to 45, and

Mrs. Quell and a young lady were speaking at the door, and McKenzie stopped, and I went on, and this young lady, he said, said that she saw Henry Quell playing, with a lot of boys in Catherine Market, and then he said, 'You are dreaming,' and he said, 'Well, I think it was a dream now.'

The witness met the defendant on the night of the finding of the deceased's body. The witness was standing at the corner of Washington and Morris Streets, and the defendant came up to him and said, "Quell's body is found, but I won't say anything about you in it." The witness met the defendant one night, after the body was found, and the defendant said, "I just gave myself up. I went to Inspector Steers, and told him that I knew of a fellow who was after murdering a fellow, and I told Inspector Steers that I would tell him this murderer's name, if he wouldn't take him for a week, and the Inspector did not promise that he wouldn't take him for a week, and then he gave his name---he said the name of the murderer was McKen-

zie, of 33 Washington Street. In

C r o s s E x a m i n a t i o n

the witness testified that he had always been very friendly to the defendant, and they associated together. The witness went to the priest's house with the defendant, who left the witness outside. The defendant did not tell the witness why he went to the priest's house. On the night of the death of the deceased, the defendant said to him, the witness, that this friend of his told him not to tell any one, but the witness being his, the defendant's, friend, he, the defendant, thought he would tell the witness, and asked him, the witness, to keep his mouth shut about it---the murder; and the defendant said, "I won't say anything about you."

THOMAS J. FAHEY testified that he lived at No. 12 Morris Street, and lived there on April 10th, 1892.

On the afternoon of April 10th, 1932, at about 4 o'clock, the witness was on the roof of the house, No. 12 Morris Street, in company with his friend, George Larch. They were smoking, reading and talking, on that roof, when a lot of small boys came over from the adjoining house and asked them if they wanted to see a dead body, and then the witness went over to the airshaft back of No. 53 Washington Street---but would not be certain that the number was correct---~~he~~ saw the outlines of a body at the bottom of the shaft. Then the witness notified the police, and Officer Carey and some other officers came for the body. In

C R O S S E x a m i n a t i o n

the witness testified he did not notice who was on the roof at that time, but, after returning from the station house, the roof was crowded with people, including some girls. The witness did not notice whether the defendant was there at that time. He did not know the defendant at that

time.

MARY STEMPE testified that she lived at 48 Washington Street, and lived at the same place on April 10th, 1922, when the body of the deceased was found. She saw the body taken from the airshaft, which was between No. 53 and No. 55 Washington Street, in the back. At the time that the witness was looking out, from the roof of No. 48, there were others there, including Sophie Dribel. She saw the defendant on that day. She knew him. She also saw the body of the deceased. She knew the deceased in his life time. When the witness and Sophie Dribel were there, the defendant was on the roof of No. 53, and he said, "The body looks to be the body of a boy 15 or 16 years old, and the fellow that done that ought to get good 20 years." The defendant did not say whose body it was, and the witness did not know whose body it was at that

time. The defendant said this to the witness and Sophie Dribel, who were together. In

C r o s s E x a m i n a t i o n .

the witness testified that she was there prior to the taking up of the body, and also when it was taken out of the airshaft. The witness told this story first to Lottie Qbell, alone; then to Mr. Bradley, and also Officer Carey, in the presence of the other girl.

SOPHIE DRIBEL testified that she lived at 45 Washington Street in the house in which Mary Stempf lives. She lived in the same place on April 10th 1892. She recollected the day of the finding of the body of the deceased. She was, at that time, on the roof of No. 45 Washington Street. She saw the body from the roof of the bonded warehouse at 53 Washington Street. The witness, Mary Stempf and the defendant were present, at that time, on

the roof of 48 Washington Street. There was no one else present then, on the roof of 48, but there were others on the roof of 53 Washington Street. While on the roof of 53 Washington Street, she looked down the airshaft, and the defendant said that the "Body that lies down there looks to be about 15 or 16 years old, and the fellow that done that ought to get good 20 years." The witness spoke to Mary Stumpf and also Mr. Bradley, and Officer Carey, but not to Lottie Quell or anyone else. In

C r o s s E x a m i n a t i o n

the witness testified that she saw Mr. Fahey, one of the previous witnesses, on the roof, and Fahey went and reported the matter to the station-house.

ARTHUR A. CAREY testified that he is a police officer,

attached to the Municipal Police Force, and connected with the Central Office, acting as a detective. On April 10th, 1892, he was a police officer, attached to the 2nd precinct. On that day, in compliance with instructions received by him from the Sergeant at the desk, he, in company with two other officers, took a stretcher and went to the bonded warehouse No. 53 Washington Street. The witness, continuing, testified, "Well, we went down to 51 Washington Street, which is a dwelling, a tenement house, and we went upstairs through the tenement house to the roof, and crossed over to the roof of the bonded warehouse, 53 Washington Street; and I think there was two or three people on the roof, if I remember rightly, and we looked down into the airshaft, and seen what appeared to be the outlines of a human body, it looked like the two limbs. And we went downstairs, and there was a truck in the street, and we took the truck up against the building, 53 Washington Street, and got a ladder and

put it on the track, and one of the officers climbed up, and forced the iron shutters open, and we went into the building, and down one flight, to the rear, where the shaft was. There was an inner and an outer shutter leading out to this shaft, and we had to use considerable force to get them open, the iron being very rusty. And we forced them open, and there lay the body, covered with a lot of rubbish, at the bottom of the shaft. And we put carbolic acid, diluted with water over the clothes, and lifted up the body, that is, Officer Bolz and another officer aid. The body was taken out and laid on the stretcher, and then put in a wagon and taken to the 2nd precinct station-house, and the dirt was removed from the face of the body. He was not present at the autopsy. The body was subsequently taken to Duffy's undertaker shop, at 82 Greenwich Street. He saw the body put into the undertaker's wagon, having on it the name of Duffy. The witness was detailed to investigate the case, and, on September 10th, 1892, he arrested the defendant at the

Polo Grounds, 155th Street and 8th Avenue, in this City. He had no conversation with the defendant prior to the arrest. He took him to Police Headquarters, where he was kept 2 1/2 days. At the Polo Grounds the witness saw McKenzie selling score-cards, and he said to the defendant, "Take a walk with me down to Police Headquarters". The defendant said, "What for?" The witness said, "I want to find out about the death of that Henry Quell." The defendant said, "I don't know nothing about it. You know I was trying to find out something for Flynn about that," meaning a detective who was formerly attached to the 2nd precinct station-house. That was all the conversation between the defendant and the witness on the way from the Polo Grounds to Police Headquarters. On the following Sunday the doorman said that the defendant wanted to see the witness, who went to see the defendant. The defendant said, "Now, I don't know---now, I know who it was that committed that murder. If you will take me to the Salvation Army Barracks, in 14th Street, to see

Adjutant McKenzie, I will give you a written confession." The witness said, "They wouldn't allow that," and the defendant was put back in his cell, and the witness did not go with the defendant anywhere. This conversation took place about 11 o'clock in the morning. The witness had a second conversation with the defendant, on the same day, about half-past 4 or 5 o'clock, and the defendant then said, "I told the sergeant upstairs all about it, and he knows it all." The next conversation that he had with the defendant was on the following day, Monday, on the way to Jefferson Market Police Court, when the defendant said that he went on the roof of this bonded warehouse, No. 53 Washington Street, and that Quell was there, and that he had a knife, whittling a piece of wood, making a boat; and as he, McKenzie, went on the roof, Quell came towards him with a knife in his hand; he had been drinking some, and he said to him "If I stick this knife in you, I suppose you will be dead." McKenzie said to him, "If you

are man enough, you will." And with that Quell ran towards me, with the knife, and stabbed me in the back of the neck, and then he said he knocked him down and kicked him--Quell knocked McKenzie down and kicked him; and as Quell ran towards him with the knife and stabbed him in the arm, they withdrew then, and the defendant said he pushed Quell, and he fell over in the shaft. But then he said afterwards, "I did not know whether I pushed him or he staggered or fell down in the shaft." The shaft was about 10 feet wide at the top, and is of the same width, and perfectly square, all the way down to the bottom. The building is four stories high, and the bottom is even with the street and there are no windows in the shaft except at the bottom. In

C r o s s - E x a m i n a t i o n

the witness testified that he was not present at the confession to Sergeant Killilea.

The body was found on April 10th and the Coroner's

inquest was held on September 27th. In

Re - Direct Examination

the witness testified that he only answered the questions put to him at the Coroner's inquest.

JOHN KILLILEA testified that he is a detective sergeant of the Municipal Police of the City of New York, attached to the Central Office, and acting sergeant of the detective bureau. On September 10th, 1892, he was engaged in the same capacity. The defendant at the bar was brought to him at the desk at the Central Office, on that date, by detective Carey, who said that the defendant was arrested on suspicion of being concerned in the murder of the deceased. On the 11th of September, in consequence of a conversation had between the witness and detective Carey, the witness caused the prisoner to be brought before him. The witness testified, "The defendant was brought

up into the Detective Bureau, and, in conversation with me, he told me that, on the 10th day of February 1892, he went on the roof of 53 Washington Street; and when he got there he said this Henry Quell was on the roof, and he appeared to have been drinking, and he had a knife in his hand, and was whittling a piece of wood, as if making a boat; and he advanced towards Quell, and he said, 'If I put this knife through you, you would be dead,' and he said he told Quell that he was not man enough to put it in him; and they both clinched, and Quell stabbed him in the back of the neck and the forearm, and he punched Quell and pushed him from him, and Quell knocked him down and kicked him in the eye, and gave him a black eye for several days, and he got up and ran towards Quell and pushed him, and he staggered backwards and fell down the shaft. And then he said he went home and explained to his mother that Quell had cut him with the knife, and she asked him where Quell was, and he said he didn't know, and he

said that he gave her the knife; and he said his object in explaining all this was that, since the occurrence, he had become conscience-stricken, and had joined the Salvation Army, and wanted to relieve his mind, and that was his real object in telling the story. Detective Price and the witness and the defendant were present at the confession. Carey was not present. I simply asked the defendant if he had anything to say in relation to this matter, and he said yes, he wanted to tell the whole story, and wanted to relieve his mind. He said that he brought the knife home and gave it to his mother---the knife that Quell attempted to stab him with. And he said she asked him what had become of Quell, and he said he did not know. In

C r o s s E x a m i n a t i o n

the witness testified that this conversation took place in September. He, the witness, made memoranda as the defendant made his confession, and he has

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testified to the statement of the defendant to the best of his, the witness's recollection, as nearly as he can recall the defendant's language.

SAMUEL PRICE testified that he was a member of the Municipal Police of the City of New York, attached to the Central Office. On September 10th, 1902 he was on duty in the Central Office, and saw the defendant there on that day. He was present at the time that the confession was made. On the way from the Jefferson Market Police Court, the defendant had a conversation with the witness, he, the witness, testified, "I remarked to the prisoner that he was arrested on a very serious charge. He asked me if he could be allowed to make a confession. I told him yes, and he asked me what the consequences of his act would be. I told him I couldn't tell him that exactly, as I did not fully know the nature of his crime. I

warned him of his rights. I told him that everything he said to me could be used against him, and he said he would consider the thing, and, probably, in the afternoon, would make a confession. In the afternoon, Sergeant Willilea, after hearing this, gave orders to have him brought upstairs. He came upstairs and made the confession that the Sergeant has just related, in the room, to the Sergeant and myself. He said that he had been on the roof of No. 53 Washington Street, with Harry Quell, the deceased---I can't recollect the date now---and that Quell seemed as if he had been drinking, and had a knife, and was whittling a piece of wood in the shape of a boat, and Quell remarked, 'If I should stick this knife in you, you would be dead,' and he replied, 'You wouldn't be man enough.' And Quell rushed at him and they clinched and fell. And they clinched and he claimed that Quell stabbed him in the arm and also in the neck, and he fell down, and Quell kicked him in the face, blackening his eye. And he regained

his feet, and they clinched again, and when he punched him he fell down the airshaft, and he said he picked up the knife and he went home, and he gave it to his mother, and he told her that Quell had stabbed him, and she asked where Quell was, and he said he did not know. That was about the sum and substance of it." The witness had no further conversation with the defendant, and it was at his, the defendant's, own request that he was permitted to make the statement or confession.

Cross Examination

(None.)

LOTTIE QUELL testified that she was the sister of the deceased, Henry Quell, and lived at 17 Washington Street, with her mother. She knew the defendant 9 or 10 years. The deceased and the defendant

were friendly. She first missed her brother on February 14th. She met the defendant about three weeks after the deceased was missed. She met the defendant in the hallway of 43 Washington Street, and the defendant asked her if she had heard anything about her brother, and she said no. And he said he would see what he could do for her; that he knew a few detectives. The witness said, "George, do you know who was my brother's best friend?" and the defendant shook, frightened like, and he said, "Well, he will show up some time." A woman informed her of the finding of the body, and she went to the Church Street Station-house, and identified it. It was taken to Duffy's undertaker shop at 82 Greenwich Street. Her mother also identified the body as that of her brother. There is no railing around the top of the airshaft. In

C r o s s - E x a m i n a t i o n

the witness testified that the deceased worked

in a brick yard, in Sayreville, and left there because her mother moved away from that place. she never knew of any other reason for his leaving the brick yard. The witness knew Mary Stepf and Sophie Brubel for about 5 years, and they had always been friendly. Mary Stepf spoke to her, the witness, about two months after her brother's disappearance, about the defendant in connection with it.

WILLIAM A. CONWAY testified that he is a practising physician, a graduate of the College of Physicians and Surgeons, and has been practising since 1886. He is connected with the Coroner's office, as a Coroner's physician, and has served in that capacity since 1883. In the month of April, 1892, the witness was called to Duffy's undertaker shop, on Greenwich street, to perform an autopsy upon the body of one Henry Quell. The

witness, continuing, testified, "I found a fracture of the skull, 4" and 5" ribs on the left side and both legs; back of the head, the right thigh, and the left leg above the ankle. The injuries were such as would probably have been caused by falling through a considerable distance. I think the death must have been immediate."

MARGARET PROUDFOOT testified that she lived in 22 West Street and that she used to work in the Equitable Building. She is married, and her husband is alive. She knew the defendant for several years. She remembered seeing the defendant in February, 1892, around Washington's Birthday; she could not say whether it was before or after that day. The witness testified, "I use to go to work with the defendant's mother, and, one evening, I went to call the mother to go to work with me, and there was a lady that used to work with his mother, and

she was putting a bandage on his neck and his arm, and his eye was all black." She saw bandages, but no wounds. In

C r o s s E x a m i n a t i o n

the witness testified that she had known the defendant's mother five or six years, and had lived next door to her, and was very friendly with her. She remembered the time, because she had a cold then. She never heard the defendant say that he had thrown a boy from the roof down the airshaft. A Mrs. Martin was dressing the defendant's neck. About a couple of days after the defendant's arrest, the witness spoke to Mrs. Martin about the bandages that she had previously put on the defendant. She made the remark that he had been in a scrap with a boy.

ELLEN MCKENZIE, testified that she is the mother of the

defendant, and lives at 58 Washington Street. She lived there 11 years. Her husband is dead. Her son, the defendant, was a very good boy, always worked, and lived at home. She remembered seeing her son in February last. It was about Washington's birthday. She remembered when the body of the deceased was found. She did not hear of it before; and she did not even know the name of Quell until the day following. She remembered her son, the defendant, coming home about Washington's birthday, and "His face was all kind of swollen and bruised, and his coat was thrown careless over his left arm, and I asked him what was the matter, and he said he was after fighting with a boy, and he was cut, and so I put a bandage on him, and I bandaged the two cuts. He had one cut here and another below that cut (indicating the left forearm and wrist), and his father was very sick, and his father used to keep the children when I was out working. She worked in the Cafe Savarin, in the Equitable Building,

for six years. "And when I came home at night, I saw two cuts on his arm, and I bandaged them up, and he moaned and was in great pain. I put on carbolic ointment, and I washed them, the day after, with carbolic wash. Those two cuts were on his arm. She did not, at that time, see any cut on his neck; but the next day her husband told her of it, and she saw the neck of his neck cut." In

Cross Examination

the witness testified that at the time of her son's arrest she was working at the Cafe Savarin. He had abscesses on his neck since he was three years old. But none on his arm. She did not know of her son having been taken to the hospital to have his wounds dressed; and there was no one in her house except the woman referred to, who dressed his wounds. In

Re-Direct Examination

the witness testified that Detective Carey came

to see her, the witness, at the Café Savarin, where she was scrubbing, and "He asked me if I ever knowed George to give me a knife, and I said, no. I did not know where my boy was at the time, because, the night before he was arrested, I searched all over for him, me and M. S. Martin, and I said, 'Mr. Carey, do you know where my son is?' and he said 'Yes; I have him arrested, up in Police Headquarters. He is implicated in the killing of Quell. And then I commenced to think about the end and, and I says to M. Carey, 'Well who arrested him?' and he said, 'I arrested him. And did he ever come in s abbed, o you?' and I said 'No,' because I though it might save my boy and let him get right away, by saying nothing. And that is all the conversation I had with M. Carey, and he told me to come to Police Headquarters, the nex day, to see my poo boy, and I did, and that is all I know about it.'

ROBERT McKENZIE testified that he was a clerk in the Emigration and Clearing House, on Ellis Island. He knew other people who knew his brother, the defendant, at the bar, and his general reputation was good for peace and quiet. He never stayed out of the house at nights, was always worked, and was a good boy.

Cross Examination

(None.)

MICHAEL DRONEY testified that he is a truck driver. He knew the defendant. About the middle or towards the 19th of February, last, he saw the defendant standing at his own door, and he noticed a bandage around his neck. The witness fixed the time by the circumstance of being paid his wages, for dumping some coal for the Manhattan

Railroad Company; and also by the fact that he was to have gone on an excursion of the Michael J. Reardon Association, of which he was a member.

RUGH DUFFY testified that he was an iron choker. He had known the defendant since his childhood, and he knew other people who knew the defendant. The defendant's general reputation for peace and quiet is good.

GEORGE J. MCKENLIE, the defendant, testified, in his own behalf, that he was born and lived all his life in the City of New York. He attended St. Peter's Catholic School and Grammar School No. 29. He left school at 11 years of age, and went to work at a paper stand kept by a man named Welsh, at the corner of Cortland and Church Streets. Then

he went to work for the American District Telegraph Company, then for Henry Holton, at the Barclay Street Ferry, running a paper stand, then for Thomson, printer, 15 Day Street, and there he learned the trade of Gordon and Cylinder Reeder, feeding the machines. Then he went to Mr. Stratton's tin shop, and learned the trade; from there he went to the American Bank Note Company and worked there until he was laid off, and then he went to the ferry to carry baggage and also baskets for butchers, and he also worked for a Mr. Snyder. He was paid off by the American District Telegraph Company, because business was dull, in the summer time. Then he worked for a man named Griffith. It was during the time that he was laid off by the American Bank Note Company and the time that he went back to that company that this case happened. He met Quell, the last time, between the 10th and the 17th of February. It was not the 10th, the witness testified, "Because there was a ball on

the 14th and I went to bed; but I thought it was the 15th. He saw Quell in the morning of that day, in the Street, with a young man named Cantlin. He saw him again in the afternoon, on the roof, between half-past two and three. He knew it was half-past 2, because he was going to the Polo Ground. The defendant went up on the roof about half-past two, and Quell was there, and he said, "Hello!", and Quell said "Hello!" and the defendant said, "I think I will lay off", and the defendant sat down, and the witness reached into his hand a knife, and he was cutting a piece of wood. The defendant went in No. 31, a bonded warehouse, and went up four flights or stairs, to the roof. The door to the roof is always open. Quell was sitting by the chimney, near the airshaft, between 34 and 35. The defendant went over to him, and Quell said, "If I should jab this knife into you, do you think you would croak?" The witness, continuing, testified, "I says, 'I don't think you would be man enough.'"

he says, 'I am' and then he brought his arm around and stabbed me in the back of the neck, and I jumped over towards him, and I grabbed hold of him, and threw my arms around his neck, and he had the knife in his left hand, and when I put my arm around his neck he cut me in the arm, and he cut me in the neck. He threw the knife. I gave him a push and he fell over the skylight, and I walked over towards the knife and picked up the knife. He had got the knife in his hand and was trying to make another jab, and I stepped back, and, in some way, he gave me a push and I gave him a push. I did not have hold of him at the time, I am positive. He fell over the air-shaft. I don't know just what occurred, because I was dazed. I know I picked up the knife and walked home with it, and my mother was there, and I showed her what was the matter then, and I said a boy cut me, and then my mother sent my little sister to the drug store for 10 cents worth of carbolic acid. He had put a handker-

sniff around my neck. I gave the knife to my father, and as he had it, I am positive, when he died. It was a penknife." The defendant testified that he was four days in bed, unable to get up. In

CROSS EXAMINATION

The witness testified that he was 18 years of age on May 11th, last, and he was 17 when the trouble occurred. Quill was as big as the defendant, and has been working in Jersey City in a brick yard. He, the defendant, did not tell Killilea, when he made a confession to him, that he, the defendant, was on the roof of No. 23 Washington Street on February 10th. He, the defendant said that it must have been the 13th. To the question, "You had both been very friendly before that?" the defendant answered, "Very little." The defendant also testified, "Three weeks before that we had a club, and I challenged him for admission, and he had a grudge for that."

The defendant testified, "Quell stabbed me in the back of the neck and he jumped up with the knife in his hand. He was not very much intoxicated, but very much excited. He did not fall down at that time. He came towards me again, and when I seen him coming I turned quick and threw my arm around his neck and grabbed the knife out of my fingers. I got a doctor from Long Island to treat it. He was living near at the time." The defendant had no doctor come to the house to dress his wounds; nor did he go to a hospital. His mother, and Mrs. Martin and his brother Edward all saw the wounds while the bandages were on his neck. At that time he did not have abscesses on his neck; he had them when he was a child. The defendant was confined to his bed for four days after the occurrence happened, and did not know that Quell was dead; and at the expiration of the four days, he went to his confessor, Father Miner of St. Peter's Church. He never went back to the roof to look down, and he did not know whether Quell

was dead or alive, and he knew he fell down four stories. He did not say a word to any one that he knew Quell was missing. He did not see any one but Anthony J. Kehoe and his chum. He denied having spoken to Mrs. Quell while he was sick. He heard Lottie Quell testify about a conversation which the defendant had with her in which the defendant said to her, "Has your brother showed up yet?" and she said, "No. Who was his best friend?" and that he trembled and shook. That testimony, the defendant said, was false. He denied that he said to Mrs. Quell and Lottie Quell that he knew a couple of good detectives, "and I will put them on to it." He did not say to Mrs. Quell, "If your son is arrested the police will let you know. I was arrested once and the police let me know." He, the defendant, was arrested once, but he was released on bail. That was the time Mr. Griffith was arrested and the defendant was fined for disorderly conduct. He recollected a conversation with Anthony J. Kehoe,

the night that he, the defendant, went to the priest the third time, three weeks before the body was found. He did not have any conversation with Kehoe, at any place, in which he said, "What do you think of a fellow murdering his best friend?" He did not tell Kehoe about it, and he did not tell Kehoe where he could find the body, and he did not say it was Henry Quell. Kehoe and the defendant were associates for about a year and a half, but were not very good friends. He testified that he knew of a reason why Kehoe should go upon the witness stand and testify as he did; that it was because Kehoe had written him threatening letters about getting square with him, the defendant. He did not say to Detective Carey, at the time of his arrest, in reference to the killing of Quell, that, "I didn't do it, but I know the fellow who did." About five days after Quell fell into the airshaft, the defendant told his father that he had had a fight with a young man, and that the young man had fallen off the roof, and

his father said, "George, if you have done anything, confess to your priest, and take his advice," and the first man that he ever spoke to about the death of Quell was Rev. Father Miner of St. Peter's. When he went out of the house, at the end of the five days that he was laid up, he, the defendant, knew that Quell was missing. In answer to the question, "You know you had not done anything wrong?" the defendant said, "Not exactly. I thought I may have done so. I thought I might have been the instigation of Quell's death. I thought it might be a crime against the law." Although he knew that Quell had fallen down the airshaft, he never went to see if the body was there. And when Mrs. Quell did not know where her son was, from the middle of February, he, the defendant, never said a word to her about him. To the question, "and then all these stories which Mrs. Quell tells, and which Lottie Quell tells about the conversations with you are made up, and are entirely false and absolutely untrue?" he answered, "Yes; they are all like Mr. Carey's

stories about him, Carey's, conversations with the defendant, in which the defendant admitted having thrown the deceased off the roof, "are absolutely false." He had the bandages on for weeks. After the body of Quill was found, he, the defendant, did not say many words, "I know how that boy fell down," and he did not tell any one what he knew about the case, except the Catholic priest. He did not tell anybody about the matter after he saw the Catholic priest, until August, when he met a young lady named Elmer Vickery, of the Salvation Army, and he said, "I asked her advice what she would do if she had committed murder, and she asked me who, and I said to her that I had a fight with a young man and I didn't tell her who." He never told a different story from what he told on the witness stand, at the present time. He never had a conversation with Detective Flynn about this case. The defendant said, "I didn't tell Sergeant Price anything about the case. I made my confession to Sergeant Killilea. To the question, "You felt

you had not done anything wrong, didn't you, and your conscience didn't trouble you?" the defendant answered, "No, sir; I didn't." He also said, "I only remembered the advice of Father Mineo." He was never convicted of any crime. Dr. Henry of the Trinity Dispensary, and "the drug-gist down there," saw the bandages on the defendant. To the question, "Did you ever tell your mother that you had had some scuffle with Henry Quell upon that roof, after which he went down through that airshaft?" the defendant answered, "No, sir; I never said Henry Quell; I said a boy." He never said who it was, however. The defendant knew of the airshaft in question, and had, before Quell's death, looked into it, and knew its height. The defendant said, "We were fighting, and we were punching one another, and he fell down.. The defendant and the deceased were always friends before that fight; and it was the first trouble that they ever had together. The deceased was whittling and boat, and the defend-

ant was sitting next to him, and the deceased said, "If I was to jab this into you do you think you would creak?" The defendant said, "You are not man enough to do such a thing." I was still sitting, and then he jumped up and then I jumped up, and he came towards me. We were only about three feet away from the airshaft. I turned around, and I tried to grab the knife, and then he came and jabbed me twice in the arm. There was a scuffle there, and I fell over it, and he kicked me, and he walked towards the scuffle, and he dropped his knife." "The knife fell from him, and I gave him a punch and he punched me, and the knife fell, while we were punching each other. We were still fighting. He hit me five or six times, and I hit him back and he kind of staggered back and fell over." When the defendant struck him, he, the deceased, was about 3 1/2 feet away. The defendant said, "When he fell I stopped there, and then I took my coat off and wrapped it around my arm. The knife was about seven feet away from

the aircraft. It was a very ordinary knife, with a large blade. It looked like a sailor's dirk knife. It was a penknife, and open at that time, and also at the time I picked it up, and there was blood on it then. I closed the knife. I didn't wipe it off. I went over to the house. The witness took off his collar and rolled up his sleeves, and showed the stab wound to the jury.

GEORGE YARWOOD testified that he is a painter, connected with The American Bank Note Company, and knew the defendant. The defendant had been in the employ of the Company and was a good boy.

REBUTTAL.

MRS. QUELL, being recalled by the District Attorney, testified that she saw the defendant four or five days after she missed her son, and, after that, she saw him frequently. She never saw any bandages upon the defendant or any evidences of his having been

stabbed. She did not tell anybody that she would give the witness, Rowe, a suit of clothes if he would come to court and testify against the defendant.

SOPHIE DRESEL, being recalled by the District Attorney, testified that she never saw bandages upon the defendant. She was close enough to notice whether or not there were any.

LOTTIE QUELL, being recalled, by the People, testified that she had known the defendant all her life, and had seen him frequently around the neighborhood after Quell was missed, but she did not see any bandages upon him.

MARY STEMPE, being recalled by The People, testified that she knew the defendant, and that they were always very friendly, and that she had seen him frequently around the neighborhood after Quell was missed, but did not see any bandages upon him, and he did

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not tell her that he had been stabbed or wounded.

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Coroners' Office, New York County.

In the Matter of the Inquest into:
the Death

- 07 -

HENRY QUELL.

Before
HON. M. J. B. MESSEMER,
and a Jury.

New York, September 27, 1892.

GEORGE LERCH, duly sworn:

I live No. 528 Eighth Avenue, and my occupation is elevator runner in the Mills Building; myself and Mr. Fahey were sitting on the roof at Number 12 Morris Street, and some boys from No. 43 Washington Street said to us, if we wanted to see a dead body; so we said yes, and we went there and we discovered the body down in the air shaft; we got a string down to find out whether it was a body and then we got the Police.

By the Coroner:-

Q You left the body there and notified the Police?

A. Yes, sir.

Q Did you know anything about the recovery of the body afterwards - after that? A. No, sir.

By Mr. Hegeman:-

Q At that time of the finding of this body where did you live? A. At No. 12 Morris Street.

Q What was your business then? A Elevator runner.

Q How was that air-shaft situated? A. This was No. 53 Washington Street where the accident was.

Q How far away were you from 53 Washington Street at the time you saw this body? A. Right along side of the shaft.

Q You were not present at any time when McKensie said he did it? A. No, sir.

Q Were you at any time present with a detective to visit the defendant? A. No, sir.

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THOMAS J. FANEY, duly sworn:

I live No. 12 Morris Street, and my occupation is truck driver; I was sitting on the roof of No. 12 Morris Street, on Sunday April 10th, and we were informed by some boys over the roof - they said, did we want to see a dead body: we went there and seen it; we had a piece of rope and a hook on it and we seen it was a body and we notified the Police.

By the Coroner:-

Q Did you see the body afterwards at all? A. No, sir; I didn't go to the station house.

By Mr. Hegeman:-

Q When was that that some boys informed you there was a body down the air-shaft? A. It was Sunday, April 10th.

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HENRIKKA QUELL, duly sworn:

I live No. 23 West Street, I am the mother of the deceased;
By the Assistant District Attorney:-

Q When did you first miss your son? A. It was on the 10th of February, and it was about four o'clock in the afternoon; I looked out of my window and he was playing with the children in the yard there; and I got ready to go to work, and it was half-past four o'clock I went down in the yard, and he was gone.

Q Did you see him alive after that? A. No, sir.

Q What was the first news that you received of your son's death? A. The 10th of April, I was up-stairs, and a lady named Sullivan on the second floor, front, she came up-stairs and she said to me, "If you go down stairs and see, maybe it is your son".

Q What did you do then? A. My daughter went to the station house, after, and my daughter seen him; I went down, but I didn't see him.

Q Did you see his body before burial at all? A. Not until the day he was being buried.

Q Are you positive that it was your son? A. Yes, sir.

Q Are you acquainted with the defendant, McKenzie?

A. I used to see him around with my boy; that is all I know about it.

Q Have you seen him since you missed your son? A. Yes, sir; I seen him at the doors often, when I was living there, he used to ask me if my boy showed up yet.

By Mr. Hegeman:-

Q Whether you had seen him? A. Yes, sir.

By the Assistant District Attorney:-

Q When did he ask you that? A. Four or five days after he was missing.

Q Did he say anything further than that? A. No, sir.

Q He asked if he had showed up yet? A. Yes, sir.

By Mr. Hegeman:-

Q Are you acquainted with Mrs. McKenzie? A. Yes, sir.

Q How long have you lived in that neighborhood? A. I was away about seven years. --

Q You have been acquainted with this prisoner here?

A. Yes, sir.

Q And after your son disappeared you saw McKensiz almost every day? A. I seen him every day.

Q You seen him almost every day? A. Yes, sir; when I came from work.

Q You seen young McKensie almost every day since your son's disappearance? A. Yes, sir.

Q How far is your house from where this accident occurred?

A. Three houses away.

By the Assistant District Attorney:-

Q Often spoke to you in the mean time? A. Yes, sir; he did.

Q What did he say? A. He asked me if I should ever hear anything about him since.

Q There were other people asked the same questions outside of McKenzie? A. Yes, sir.

-----:o:-----

LOTTIE QUELL, duly sworn:

I live No. 23 West Street and I am a sister of the deceased; I was acquainted with the defendant.

By the Assistant District Attorney:-

Q Did you have any conversation with him after your brother's disappearance? A. I never questioned him, but he often did me; three weeks after my brother was missed he followed me into the hall, when I was going to work; I went next door to a lady by the name of Mrs. Hill, she has a saloon - and he questioned me - he asked me if my brother showed up yet. I said, "no, George." He said to me, "I will see what I can do, I know a couple of good detectives". With that I said, he was my brother's best friend; he didn't say anything. I said, "Who was with 'Henny', the next day; he kind of shook, he got frightened like - and he said, "He will show up some day". Then, he always got out of my way when he seen me.

-----:o:-----

ELMA VICKERY, duly sworn:

By the Asst. District Atty:-

Q Where do you reside? A. I reside in Mont Clair, New Jersey.

Q Are you acquainted with the defendant? A. I am.

Q Have you had any conversation with him relative to the disappearance of Henry Quell?

Objected to. Objection overruled.

Exception.

Q State that conversation to the Jury? A. He spoke to me on the 3rd of August last; he said to me that he

had done something ~~horrible~~. I asked him what it was thinking perhaps I could help him. He told me he had committed a murder; when I asked him what it was he referred to this case; he asked me if I remembered this body being found; I said, yes; he told me he was to blame for it; he told me he did it; I asked him why he did it and he said he didn't know, I did not ask him the particulars of the thing; he told me he was to blame for this boy falling down there.

Q Did you have any further conversation with him on the subject? A. Yes, sir; I had the next day.

Q What was said then? A. I will add to the first time I spoke to him about it; I asked him what was he going to do about it; he said he felt that he had to make a public confession about it. I asked him to think about it and to be sure that he would tell the truth, and the remaining facts about it; I asked him to go home and think it over, and to pray about it; he believed in praying; I seen him the next morning and he told me he had fully decided that he had to tel~~X~~ this; but at the time his father was very ill, dying, and he thought he would wait until that was over, because he didn't want to distress his mother.

Q What is your occupation? A. stenographer.

Q Are you connected with the Salvation Army? A. I am.

Q What post? A. At Headquarters No. 111 Reade Street

Q You spend your time in that work? A. Yes, sir.

By Mr. Hageman:-

Q You are a member of the Salvation Army? A. Yes, sir.

Q How long have you known the defendant here? A. I think it is about three months, something like that.

Q Do you know that he was a Catholic? A. No, sir; not particular.

Q You didn't know that? A. No, sir.

Q Was he a constant member of your church there, or chapel, or meetings? A. He is not a member, he came in with the crowd.

Q And been there constantly up to the time he made that confession to you? A. Off and on.

Q Now, when he stated this was that in an open meeting? A. No, sir.

Q Privately with you? A. Privately with me.

Q Did you say to him you had better go and see a priest and confess? A. He told me he had already done so.

Q What did you say to him after he told you that he had been to a priest and confessed his sin, what did you say to him? A. He told me that in the course of telling me the story; I didn't speak after that point at all.

Q When he got up he said, what, I confess to the murder? A. Yes, sir, he told me that when he began.

Q He confessed to killing a man? A. Yes, sir.

Q That was when? A. The 3rd of August.

Q On the 4th of August was he at your meetings? A. No sir.

Q Was he there on the 5th? A. He was on the 4th I think.

Q Was he there afterwards? A. Yes, sir.

Q Several days and nights he was there? A. I think so, I was not there myself.

Q There was no allusion made by you or any one else about this boy as you said; he confessed to you throwing this boy over the air-shaft? A. No, sir.

Q No more talk about it at all? A. No, sir.

Q During those times that he attended to your meetings, the Salvation Army meetings, you saw some there and praise the Lord that sinners he saved? A. Yes, sir.

Q Did you see this boy go up and ask to be saved?

A. Not before that.

Q Tell this Court and the jury what he said then when he did go up? A. It is our custom to ask those who feel that they want the Lord to pardon their sins to come forward.

Q And of course when crying and praying this defendant was one among others that got up and asked to be forgiven?

A. He came forward to the front.

By the Assistant District Attorney:-

Q Did you make any statement in reference to this case at police headquarters? A. I did.

Q Do you remember in that statement stating any further details of his conversation with you as to how the man was killed, how he was thrown down? A. Only that he said he thought he pushed him over.

Q You don't remember any details other than that?

A. No, sir; no further details.

-----:o:-----

OFFICER JOHN KILLILEA, duly sworn:

By the Assistant District Attorney:-

Q Where were you on September 10th, 1952? A. I was on duty at the desk - that was the day of the arrest of McKenzie.

Q Did you see McKenzie on the 10th and 11th? A. Yes, sir.

Q State what took place? A. On the 10th, detective Carey arrested this boy and brought him into me; he told me that he had reasons of believing that he was connected with the crime, and he wanted to have him locked up on suspicion; on the afternoon of the following day, September 11th, Carey said he would like me to talk to this prisoner, he thought he would tell me his story in connection with the Washington Street murder. I sent for the boy and brought him up-stairs and I asked him if he had a story to tell, he said, yes, he wanted to tell the whole truth in connection with it. He said that on the 10th of February, of the present year he went on the roof of 23 Washington Street, and he met this boy, Quell, who was at the roof at the same time; he said he thought Quell was under the influence of liquor; Quell had a dagger in his hand, he was chopping wood as if making a boat; and without any warning Quell came over towards him, saying, "If I were to stick this into you, you would be dead." He said, he made the remark to Quell, he was not man enough to do it; he said they immediately clinched; Quell stabbed him in the back of the neck, and gave him

two stab-wounds in the left fore-arm; he rolled over he said, and they got up and clinched again; and Quell knocked him down and kicked him in the eye, and he gave him a black eye, he said he had a black eye for several days; he said Quell kicked him and gave him a black eye, that he carried for several days. He said he then ran and clinched and he pushed him - and Quell fell through the air-shaft; he then picked up the dagger and took it home to his mother, and told the mother that Quell had stabbed him, and his mother asked him where Quell was and he said he didn't know; that was all the conversation he had with his mother about it; I asked him what motive he had for telling the story if he was telling the truth - and he said that he had been in the habit of attending the Salvation Army meetings that he had become converted and that he wanted to tell the truth and relieve his mind. That was all the conversation.

Q Who was present at that time? A. Detective Price.

Q Was this confession made under any promise? A. None whatever.

By Mr. Hegeman:-

Q What made you call him up? A. Because Detective Carey he told me, that he thought if I would sit down and talk to him he would possibly tell me all about it.

Q Did Officer Carey tell you anything in advance about it? A. No, sir.

Q That he was thrown down? A. No, sir; he told me his suspicions.

Q Is it a custom in the Police department of this city to call up a man from the pen bring him up and ask him questions? A. Not always.

Q Can you tell one case that you ever did that - in which you took a prisoner from the cell and brought him before you, and asked him what he did? A. It is customary for any Officer to ask a prisoner anything in relation to his case.

Q You mean to tell me you had a right to bring the prisoner before you and ask him certain questions - to get him to confess crime? A. No; to get him to tell me his story.

Q Were you on the night Officer Carey brought him in? A. Yes, sir.

Q How long after did Officer Carey say, send for this boy and bring him up? A. The following afternoon.

Q You did not do anything that night? A. No, sir.

Q You did it because Officer Carey said bring him up? A. Yes, sir.

Q And you brought him up? A. Yes, sir.

Q And you brought him up for what purpose? A. For the purpose of listening to what he had to say in connection with his case.

Q The doorman brought him - this poor fellow? A. Yes, sir.

Q You took him where? A. Sat him right down.

Q What did you say to him first? A. If he had any story.

Q Did you make any promises to him? A. No, sir; none whatever.

Q If he told you the truth, you might shield him?

A. No, sir; nothing of the kind.

Q That is the custom in the Police Department in this city? A. That is the custom.

Counsel: I am glad to know that.

-----:o:-----

OFFICER ARTHUR A. CARRY, duly sworn:

By Mr. Hegeman:-

Q You testified here that when you spoke to the defendant at the Bar, he said, " Well, I suppose if I stick this knife through you, you will be dead". Now, who said that?

A. McKenzie said that to me.

Q You are a Police Officer, the prisoner said that?

A. He said to me after he had left -

Q What did McKenzie tell you - after this man, Quell threw the knife at him he said what? A? He said they clinched, and he said he stabbed him again twice in the arm, and he fell down and he kicked him in the eye - and he had a black eye for several days; he got up and he said he pushed him; he said then he fell down the shaft ; afterwards he said to me, " I don't know whether I pushed him or whether he stumbled back and fell down.

Q Did McKenzie say anything about Quell stabbing him in the neck? A. Yes, sir.

Q He did tell you that? A. Yes, sir.

-----:o:-----

DETECTIVE SAMUEL PRICE, duly sworn:

By the Assistant District Attorney:-

Q Where were you posted on September 10th, 1892?

A. September 10th, if I recollect it right, I was in the 29th Precinct; I had nothing to do with this case, I didn't know of this case until the 11th - last month - I made a mistake - the 11th of September I was at Police Headquarters.

Q Did you hear the evidence given by Sergeant Killilea?

A. Yes, sir.

Q Tell the Jury what was stated to you on the 10th or 11th of September by the defendant, McKenzie? A. On the 11th of September I was assigned to take the prisoner to Court; Officer Carey being engaged in another case; to have him remanded. On the way to and from Court the prisoner and I talked over the case; he asked me if he would be required to have counsel in his case; I told him yes, counsel would be assigned to him as soon as his trial began. I informed him of his rights, that anything he might say would be used against him; he stated that he would think the case over and perhaps in the afternoon make a confession; in the afternoon he sent for me and he told me if he would be brought up to the Sergeant he would tell the whole story, the true facts of the case; I told Officer Carey, and Officer Carey requested the Sergeant to bring him up-stairs.

Q Was the prisoner there confined? A. The prisoner was down stairs in the cellar; at the prisoner's own

request he was brought up-stairs and recited the story to the Sergeant which was just told.

Q You heard the Officer and the Sergeant on the stand?

A. Yes, sir.

Q Was that a correct statement? A. Yes, sir, that was correct.

By Mr. Hegeman:-

Q You informed the prisoner of his rights, did you?

A. Yes, sir.

Q State to the Jury and to the Court what you informed him of?

A. I told him that he was charged with a very serious crime; that anything he might say to me as an Officer would be used against him; when he mentioned that he thought of making a confession, I told him after that if he wanted to say anything he could go ahead; and he told me he would think it over, and after that make a confession which he did.

Q Is that the usual custom to take a prisoner and tell them their rights? A. Yes, sir.

Q Is it not a fact that a police magistrate has that right? A. I don't know what rights he might have.

Q You have arrested a great many many? A. Yes, sir.

Q Have you heard of any time when a defendant is brought to a police magistrate, he is informed of his rights and he has to sign a paper? A. When they go into the case, Yes, sir.

Q Do you inform every man that you arrest of his rights?

A. That is arrested for murder, yes, sir.

Q How many have you arrested for murder? A. Several.

Q Name one? A. The last was Albert Lock.

Q Where was Lock arrested? A. Right in New York City - 120th Street and Third Avenue.

Q Charged with what? A. With the killing of John Drown.

Q Was not officer Mott in the case with you? A. He was in the case, but not present at the arrest.

Q He was in the case with you? A. Yes, sir.

Q Now, when you took this defendant, where did you take him to? A. To Jefferson Market Police Court; he was remanded until the following day.

Q This alleged confession was made to you on the way?

A. No confession, he stated he would probably make a confession in the afternoon.

Q There was nobody there? A. Only the prisoner and myself.

Q That is the only information you gave him about his rights? A. I informed him fully of his rights, I informed him of his rights -- that anything he might say would be used against him.

-----:o:-----

VERDICT:

WE FIND that HENRY QUELL came to his death from injuries received by falling down an air-shaft at No. 53 Morris Street, on or about February 10th, 1892, and we further find that GEORGE MCKENZIE threw or pushed him down said air-shaft.

-----:o:-----

COURT OF GENERAL SESSIONS OF THE PEACE.

THE PEOPLE OF THE STATE OF NEW YORK.

Vs.

G E O R G E M c K E N Z I E.

To The Hon. James Fitzgerald:-

We the undersigned members of the Jury that convicted the above-named defendant of Manslaughter in the 2nd. Degree, do most respectfully ask your Honor in passing sentence upon the said defendant, to exercise such mercy as is consistent with the ends of Justice.

Charles B. Nicholson	49 West 134 St. New York
Wm A. Doran	105 E. 123rd St.
Moses A. Glavin	294 51st Avenue
David Mannus	62 E 86th
Harry Schweitzer	316 E 40th St.
Edw. L. Conlinson	111 E 96 St
Thos. L. Linn	160 West 123rd St
Martin M. Mordino	182 W. 75th St.
John T. Connor	502 E 6 Ave
Wm. Armstrong	542 Columbus Ave
Samuel D. Thompson	137 W 120th St

0931

Court of General Sessions
of the peace,

The People of the State of
New York,

Vs.

George McKenzie.

P E T I T I O N.

7- Wm A. Dolan.

1	Chas. H. Thompson		
Challenged by Def	Koenig	Saloon Proprietor	182 Washington
" " " " " " " "	Etyl	book 1200 lbs	Delaware St.
Ex by Consent	Pasquale Canale		
2	John W. Jones		
3	Messrs J. Hines	merchant	6th Ave.
Challenged by Def	Geo. Wicks		
Chall for Def	Wm A. Dolan		
" " " "	Blackburn		
" " " "	Wicks		
Chall by Def	Thos. Jones		
Chall by Def	Wm A. Dolan	Manager of Hotel	12th St.
4	Messrs		Co. 1st
Chall for Def	Charles Blair		
Chall by Def	James Blair		State St.
Chall for Consent	James Blair		
Chall. for def	Emmett St. Hensley		
6	Wm A. Dolan		
Chall for Consent	Wm A. Dolan	Butcher Market St.	
Chall by Def	James Blair		
Ex by Consent	Hartford		
Chall by Def	Heidelberg		
Ex by Def	Hobbs		
Ex by Def	Hartford		
Ex by Consent	Wm A. Dolan		
Ex by Consent	James Blair		
Ex by Def	Thomas H. Armstrong		
8	James Blair		
	Thomas H. Armstrong	Thru 542 Columbus	

0933

9-

10-

Ex in on 10/11/11

St. Louis, Mo.

62-611/11

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the ~~house of~~ *Coroner's Office*
 No. 27 Chambers - Street, in the 6th Ward of the City of
 New York, in the County of New York, this 27th day of September
 in the year of our Lord one thousand eight hundred and ninety-two before
 M. J. J. Messervier - Coroner
 of the City and County aforesaid, on view of the body of *Henry Quell*

Nine good and lawful men of the State of New York, duly chosen and
 sworn, or affirmed, and charged to inquire, on behalf of said people, how and in what manner
 the said *Henry Quell* came to his death, do upon
 their Oaths and Affirmations, say: That the said *Henry Quell*

came to his death by
 from injuries received by falling down an air-
 shaft at No 55 Morris Street, on or about February
 12th 1892, and we further find that George
 McKenzie threw or pushed him down said
 Air shaft

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisi-
 tion set our hands and seals, on the day and place aforesaid.

JURORS.

Georg Gottlieb 172 <i>Guardsman</i>	Wm. J. Rourke 578-7 <i>am</i>
Horace 181 <i>Am</i>	Martin Wolff 107 <i>Amsterdam Ave</i>
John Lamb, 166 <i>Amsterdam Av.</i>	Georg Fatz 127 <i>Amsterdam Ave</i>
Frank M. Schiffman 467 <i>St. Mary</i>	Henry Wagner 147 <i>Amsterdam Ave</i>
	Nicholas E. Menck

M. J. J. Messervier

Coroner. E. S.

Coroner's Office.

TESTIMONY.

Officer Arthur A. Carey, Central Office
being sworn say:

On Saturday September 10th 1892
I arrested George McKenzie for causing
the death of Henry Quill of 45 Wash-
ington street.

At Police Headquarters, on Sunday
September 11th McKenzie confessed
to Inspector Steers, Sergeant Killelea
& myself, that on February 10 1892, he
went on the roof of 45 Washington Street
& met deceased who was drunk, that
deceased had a knife in his hand.
That deceased said "I suppose if I stick this
through you, you would be dead." The
prisoner replied. "You are not man enough."
Deceased & the prisoner clinched & deceased
stabbed the prisoner in the neck & twice
in the left arm, & killed him.
The prisoner then got up & ran
towards the deceased & pushed him &
deceased fell down the air shaft.

On information & belief I charge George
McKenzie ~~with~~ causing the death
of Henry Quill.

Arthur A. Carey

Taken before me

this 13th day of

Sept 1892

John J. Kelly,

CORONER.

0936

In Re
Henry Duill
Feb 10/92

Statement of
Officer Casey

0937

TESTIMONY.

Wm A. Conway M. D., being duly sworn, says:
 I have made an examination of the body of
Mary - Gull now lying dead at
82 Greenwich St and from such examination
 and history of the case, as per testimony, I am of opinion the cause of
 death is *fracture of Skull & multiple*
fractures

Wm A. Conway
 M. D.

Sworn to before me
 this *11th* day of *April* 189 *2*,
J. B. Messener

CORONER.

5'3. 5' 5" Wash" St.

Gen. [unclear]
 [unclear]
 Mrs. Quill - 7
 [unclear]
 [unclear]

McKenzie
 M. J. B. M.
 F. L.
 No. 176
 2nd Quar. 1892

AN INQUISITION
 On the VIEW of the BODY of
Henry Quill

whereby it is found that he came to
 his death by *fracture of*
skull caused by falling
accidentally through
air shaft from roof
of 51 & 53 Washington
about Feb. 10/92

Inquest taken on the 27th day
 of *Jan* 1892 before
 FERDINAND LEVY, Coroner.
M. J. B. McKenzie

✓ 176

0939

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } SS.

George M McKenzie being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz.:

Question—What is your name?

Answer—George M McKenzie

Question—How old are you?

Answer—18 years old

Question—Where were you born?

Answer—New York City

Question—Where do you live?

Answer—87 Washington St

Question—What is your occupation?

Answer—Printer

Question—Have you anything to say, and if so, what, relative to the charge here preferred against you?

Nothing, not guilty

George M McKenzie

Taken before me, this 27th day of Sep^r

1892

W J B Messer

CORONER.

0940

MEMORANDA

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
15 Years	Months	Days	New York City	87 Greenwich St from 51453 Washington St.	April 10/92

Witnesses—

George Lerch 518 ~~St. Anne~~
or Mills Blv—

Thos J. Fahy—10th Morris St.

Mrs Henricha Quill. 23 ~~West~~ St.

Lottie Quill. 23 West St.

Eliza Vickery—Salvation Army
111 Reade St.

Off. John Killilea—

Off. Arthur A. Carey

Off. Samuel Price.

Dr. Conway—Coroner's Office.

Ludlow 176.

142.3

1892

HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

Henry Quill

whereby it is found that he came to
his Death by the hands of

George W. Kenzig

Inquest taken on the 27th day
of September 1892—
before

M. J. Messinger Coroner.

Committed

Bailed

Discharged

Date of death

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } ss.

George M^cKenzie being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz.:

Question—What is your name?

Answer—George M^cKenzie

Question—How old are you?

Answer—18 years old

Question—Where were you born?

Answer—New York City

Question—Where do you live?

Answer—87 Washington St

Question—What is your occupation?

Answer—Printer

Question—Have you anything to say, and if so, what, relative to the charge here preferred against you?

Nothing, am not guiltyGeorge M^cKenzieTaken before me, this 27th day of Sept

1892

W. J. B. Messer

CORONER.

(155)

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Rogers the Savage

The Grand Jury of the City and County of New York, by this indictment accuse *Rogers the Savage*

of the crime of *Murder in the first degree,*

committed as follows:

The said *Rogers the Savage,*

late of the City of New York, in the County of New York aforesaid, on the
— tenth — day of *January*, in the year of our Lord one thousand
 eight hundred and ninety-*two*, at the City and County aforesaid,

in and upon one *Henry Duell*, then and there being, unlawfully, feloniously and of his malice aforethought, did make an assault, and slain the said *Henry Duell*, from a great height, to wit: the height of *eighty feet*, down into and upon the ground there, with great force and violence, then and there unlawfully, feloniously and of his malice aforethought did push, cast and throw, by reason and by means of which said pushing,

carrying and throwing the said Henry
 Duell into the air and there fell with
 great force and violence, down into and
 upon the ground there, the the said George
 McHenry giving into him the said
 Henry Duell, then and there, by the
 means aforesaid, in and upon the head,
 neck, breast, belly, back and sides of
 him the said Henry Duell, divers mortal
 wounds, bruises, fractures and contusions,
 of which said mortal wounds, bruises,
 fractures and contusions the the said
 Henry Duell then and there died.

And as the Grand Jury aforesaid
 do say, that the said George McHenry,
 in the said Henry Duell, in manner
 and force and by the means aforesaid,
 willfully, feloniously and of his malice
 aforethought, did kill and murder,
 against the form of the Statute in
 such case made and provided, and
 against the peace of the People of the
 State of New York, and their dignity.

De Lancey Mill,

District Attorney

0945

BOX:

502

FOLDER:

4580

DESCRIPTION:

McLaughlin, John

DATE:

11/17/92



4580

Witnessed

John C. Cawley

135

Counsel,

Filed,

17 day of *July* 189*2*

Pleads,

John C. Cawley

THE PEOPLE

vs.

L. B.

John McLaughlin

INJURY TO PROPERTY.

[Section 654, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Fallon

Foreman.

July 29/92

I declare guilty as a

felony and

City Prison 10 days.

Court of General Sessions of the Peace

517

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST

John Mc Sweeney

The Grand Jury of the City and County of New York, by this indictment accuse

John Mc Sweeney

of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said *John Mc Sweeney*,

late of the City of New York, in the County of New York aforesaid, on the *25th* day of *November*, in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

a certain glass mirror,

of the value of *seventy five dollars*, of the goods, chattels and personal property of one *Esther Sweeney*, then and there being, then and there feloniously did unlawfully and wilfully *steal and destroy*,

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

James H. McNeill,
District Attorney

John Cawley

Filed, 14 day of April, 1897
 Pleads, Not Guilty

THE PEOPLE

US.

INJURY TO PROPERTY. [Section 654, Penal Code.]

John McLaughlin

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John C. Fulton

Format.

Dear lady as n

Office -

City Price 10 days.

0948

0949

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK.

John McLaughlin being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

John McLaughlin

Question. How old are you?

Answer.

22 years.

Question. Where were you born?

Answer.

New York

Question. Where do you live and how long have you resided there?

Answer.

92 Henry St N.Y. 22 years

Question. What is your business or profession?

Answer.

Machinist

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer.

I am not guilty.

John C. McLaughlin

Taken before me this
day of *May* 189*2*

Police Justice.

[Signature]

0950

Sec. 151.

Police Court.....3 District.

CITY AND COUNTY } ss.
OF NEW YORK, }

In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Patrick Cassidy

of No. 93 Hurley Street, that on the 5 day of March

1889 at the City of New York, in the County of New York,

John McLaughlin
charged with Mulderies
Violence Value \$5.00

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 3 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this...

Ed. J. McLaughlin 1889

POLICE JUSTICE.

0951

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Nov 13 1892 [Signature] Police Justice.

I have admitted the above-named Defendant to bail to answer by the undertaking hereto annexed.

Dated Nov 13th 1892 [Signature] Police Justice.

There being no sufficient cause to believe the within named Defendant guilty of the offence within mentioned. I order he to be discharged.

Dated Nov 13 1892 [Signature] Police Justice.

Police Court---

1414 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Patk Cassidy
93 Henry
John W. Lauderlin

Office Malicious mischief

Dated

Nov 13 1892
Hoyman
Herlicky
7th Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 500 to answer

Chas Smith

BAILED.

No. 1, by A. A. Noonan
Residence 220 E. Broadway Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

0953

TO THE CHIEF CLERK.

^{sub}
Please ~~send me~~ the Papers in the Case of
PEOPLE

vs.
John M. Lovell

on in Part I
for Feb 21/93

Sturges
District Attorney

By 20/93

0954

CITY AND COUNTY } ss.
OF NEW YORK.

POLICE COURT, 3 DISTRICT.

of No. 73 Henry Street, aged 25 years,
 occupation Palmer Keeper being duly sworn, deposes and says
 that on the 8 day of November 1892
 at the City of New York, in the County of New York.

John Mc Laughlin
 Defendant did maliciously and
 wilfully throw at midsee at a
 looking glass in said premises on said
 date, thereby breaking said glass
 causing damage to the amount
 of about seventy five dollars.
 In proof thereof the deponent the
 said defendant with malicious
 mischief and pranks that he
 is arrested and held to answer
Patrick Cassidy

Sworn to before me, this

of

William1892

day

Police Justice.

Court of General Sessions of the Peace

517

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

John Mc Sweeney

The Grand Jury of the City and County of New York, by this indictment accuse

John Mc Sweeney

of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said *John Mc Sweeney*,

late of the City of New York, in the County of New York aforesaid, on the *22th* day of *November*, in the year of our Lord one thousand eight hundred and ninety-*Two*, at the City and County aforesaid, with force and arms,

a certain glass mirror,

of the value of *seventy five dollars*, of the goods, chattels and personal property of one *Esther Sweeney*, then and there being, then and there feloniously did unlawfully and wilfully *break and destroy*,

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

James H. McNeill,
District Attorney

0956

BOX:

502

FOLDER:

4580

DESCRIPTION:

McManus, James

DATE:

11/28/92



4580

Witnesses:

James M. Mans
John E. Foreman
22nd March

Counsel,

Filed, 28th day of March 1893

Pleadg

James M. Mans

THE PEOPLE

vs.

B

James M. Mans

VIOLATION OF THE EXCISE LAW.
Selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 23].

Presented to the Court of Sessions for trial and final disposition

Per 2 April 6th 1893

DE LANCEY NICOILL

District Attorney.

A TRUE BILL.

John E. Foreman

Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James McManus

The Grand Jury of the City and County of New York, by this indictment, accuse

James McManus
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

James McManus

late of the City of New York, in the County of New York aforesaid, on the *16th* day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

James McManus
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

James McManus

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

Frank J. Morris

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0959

BOX:

502

FOLDER:

4580

DESCRIPTION:

Merk, Henry

DATE:

11/28/92



4580

353

Counsel,

Filed,

Pleads,

Witnesses

Officer Smith

11/16/92

1892

day of

of

THE PEOPLE

vs.

Henry Marks

VIOLATION OF THE EXCISE LAW.
Selling, etc., on Sunday.
[Chap. 401, Laws of 1882, § 32.]

DE LANCEY NICOLL.

District Attorney.

A TRUE BILL.

John E. Fallon

Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

J. Henry Murt

The Grand Jury of the City and County of New York, by this indictment, accuse

of the CRIME OF *J. Henry Murt* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

J. Henry Murt

late of the City of New York, in the County of New York aforesaid, on the *11th* day of *September* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

of the CRIME OF *J. Henry Murt* OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

J. Henry Murt

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0962

BOX:

502

FOLDER:

4580

DESCRIPTION:

Miller, Eilt

DATE:

11/28/92



4580

Witnesses

Officer Slafford
24 Nov 1893

Counsel,

Filed, *28* day of *Nov* 189*3*

Pleaded *Not guilty* Doel

THE PEOPLE

vs.

B
Guert Miller

VIOLATION OF THE EXCISE LAW.
[Chap. 401, Laws of 1892, § 32].
Seized, etc., on Sunday.

transferred to the Court of Sessions for legal and final disposal

Part 3 *april* 189*3*

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

John E. Foreman

Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Geil Muller

The Grand Jury of the City and County of New York, by this indictment, accuse

of the CRIME OF *Geil Muller* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *Geil Muller*

late of the City of New York, in the County of New York aforesaid, on the day of *November* 13th in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

of the CRIME OF *Geil Muller* OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Geil Muller

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0965

BOX:

502

FOLDER:

4580

DESCRIPTION:

Miller, Frederick

DATE:

11/30/92



4580

Witnesses:

John Hartmann

Counsel,

Filed

May 1st

1892

Pleas,

THE PEOPLE

vs.

A.

Frederick Miller

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John C. Foreman

Foreman.

Henry J. Foreman

Per 1/1/92
ccg/92

Section 497, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

Police Court—

District.

City and County } ss.:
of New York,of No. 58 Whitehall Street, aged 33 years,occupation Hotel Proprietor being duly sworndeposes and says, that the premises No. 58 Whitehall Street, 4 Wardin the City and County aforesaid the said being a four story buildingand which was occupied by deponent as a hotel~~and in which there was at the time a human being, by name~~were **BURGLARIOUSLY** entered by means of forcibly breakingopen a door leading into one of
the rooms in said hotelon the 20 day of November 1888 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:A quantity of sheets and
bed spreads valued at five
dollarsthe property of deponentand deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away byFredrick Miller man herefor the reasons following, to wit: deponent seeing by himselfthe door leading into the roomsin deponent's hotel the said propertybring in into in said rooms. At aboutthe hour of 10. o'clock P.M. of saiddate deponent found the defendantsin said premises and when searchedby deponent a quantity of bed clothingwas found on the person of defendants

He (defendant) having broken open
a door leading into a room in
said hotel and stolen therefrom
the said bed clothing. The defendant
stated defendant a violent blow on the
face and attempted to escape.
From to before me
This 2nd day of November
1892

John Hartman
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1892
Police Justice.
I have admitted the above named
to bail to answer by the underwriting hereto annexed.
Dated 1892
Police Justice.
There being no sufficient cause to believe the within named
guilty of the offense within mentioned, I order he to be discharged.
Dated 1892
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—BURGLARY.

Dated 1892

Magistrate.

Officer.

Clerk.

Witnesses.

No. Street.

No. Subd.

No. Street.

\$ to answer General Sessions.

0969

Sec. 198-200.

1882

District Police Court.

City and County of New York, ss:

Fredrick Miller being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to a charge against him; that the statement is designed to enable him if he see fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *Fredrick Miller*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *Copenhagen.*

Question. Where do you live, and how long have you resided there?

Answer. *St Cherry Street 5 mas.*

Question. What is your business or profession?

Answer. *Doctor*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer. *I am not guilty*
Fredrick Miller.

Taken before me this

day of *August* 1889*W. J. Brady*
Police Justice.

0970

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

John J. Smith
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, March 1 1897 _____ Police Justice.

I have admitted the above-named _____
to bail to answer by the undertaking hereto annexed.

Dated, _____ 189 _____ Police Justice.

There being no sufficient cause to believe the within named _____
_____ guilty of the offense within mentioned, I order he to be discharged.

Dated, _____ 189 _____ Police Justice.

097

Police Court---

1472
1894
District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Peter Martin
Frederick Miller

Offense

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated,

Nov 21 1894
Grosby Magistrate.
Quinn Officer.
1st Precinct.

Witnesses
No. Street.

No. Street.

No. Street.

\$ to answer

\$1000 & Nov 23/94

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Frederick Miller

The Grand Jury of the City and County of New York, by this indictment, accuse

Frederick Miller

of the CRIME OF BURGLARY in the *Second* degree, committed as follows:

The said

Frederick Miller

late of the *1st* Ward of the City of New York, in the County of New York aforesaid, on the
20th day of *November* in the year of our Lord one
thousand eight hundred and ninety-*two* in the *night* time of the same day, at the
Ward, City and County aforesaid, the dwelling house of one *Peter Hartman*

there situate, feloniously and burglariously did break into and enter, there being then and there a
human being within the said dwelling house, with intent to commit some crime therein, to wit: the
goods, chattels and personal property of the said *Peter Hartman*

in the said dwelling house then and there being, then and there feloniously and burglariously to steal,
take and carry away,

[Handwritten flourish]

against the form of the statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment further accuse the said

Frederick Miller
of the CRIME OF *Petit* LARCENY committed as follows:

The said

Frederick Miller

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the Ward, City and County aforesaid, in the *nighttime* of the said day, with force and arms,

*five sheets of the value of one
dollar each, and five bed-
spreads of the value of one
dollar each*

of the goods, chattels and personal property of one *Peter Hartman*

in the dwelling house of the said *Peter Hartman*

there situate, then and there being found, from the dwelling house aforesaid, then and there felon-
iously did steal, take and carry away, against the form of the statute in such case made and provided,
and against the peace of the People of the State of New York and their dignity.

W. Lancy McCall
District Attorney.

0974

BOX:

502

FOLDER:

4580

DESCRIPTION:

Miller, Thomas

DATE:

11/16/92



4580

Witnesses:

Harry Long

Counsel,

Filed

Pleads,

day of

189

THE PEOPLE

vs.

Thomas Miller

Burglary in the second degree. Section 497, Code of Laws of the City of New York.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Porellon

Foreman.

Sept 17/92

6 months per pz

Police Court— 3 District.City and County } ss.:
of New York,of No. 203occupation Driverdeposes and says, that the premises No. 203in the City and County aforesaid the said being a three story dwellingthe first floor of being apartmentand which was occupied by deponent as a human being, by namewere **BURGLARIOUSLY** entered by means of forciblyturning the knob
and opening the door leading from the
hallway into deponent's apartmenton the 13th day of November 1882 in the night time, and the following property feloniously taken, stolen, and carried away, viz:One Brass Watch and Chain
of the value of Seven Dollarsthe property of Deponentand deponent further says, that he has great cause to believe, and does believe, that the aforesaid **BURGLARY** was committed and the aforesaid property taken, stolen and carried away byWilliam Miller (arrister)

for the reasons following, to wit:

That the door leading
to said apartment was closed
that at about 5 o'clock A.M. Deponent
was awake by a noise he discovered
the said defendant in the said
apartment in the act of feloniously
taking stealing and carrying away the
said propertySigned by Deponent
this 13th day of Nov 1882William Miller
Deponent

0977

Sec. 198-200

CITY AND COUNTY OF NEW YORK, ss:

District Police Court.

James Miller being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *James Miller*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *New York*

Question. Where do you live and how long have you resided there?

Answer. *65 Franklin St. 10 years*

Question. What is your business or profession?

Answer. *Clerk*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer. *I am not guilty*
James Miller

Taken before me this
day of *Nov* 189*5*

Police Justice.

0978

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Agudant

~~guilty thereof~~ I order that he be held to answer the same and he be admitted to bail in the sum of Twenty Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Nov 13 1892 [Signature] Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated _____ 18 _____ Police Justice.

There being no sufficient cause to believe the within named _____

_____ guilty of the offence within mentioned. I order he to be discharged.

Dated _____ 18 _____ Police Justice.

097

Police Court---3---1413 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Young
2103 vs. South
Thomas Hall

Officer
Young

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated *Nov 13* 18*92*

Thomas Magistrate.

Stanger Officer.

7 Precinct.

Witnesses *Call Officer*

No. Street.

.....

No. Street.

.....

No. Street.

David to answer *St*

Accu. *Boony*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Miller

The Grand Jury of the City and County of New York, by this indictment, accuse

Thomas Miller

of the CRIME OF BURGLARY in the second degree, committed as follows:

The said

Thomas Miller

late of the *7th* Ward of the City of New York, in the County of New York aforesaid, on the *thirteenth* day of *November* in the year of our Lord one thousand eight hundred and ninety-*two* in the *night* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *Henry Jung*

there situate, feloniously and burglariously did break into and enter, there being then and there a human being within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said *Henry Jung*

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away,

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment further accuse the said

of the CRIME OF *Robt* LARCENY

committed as follows:

The said

Thomas Miller
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the Ward, City and County aforesaid, in the *night* time of the said day, with force and arms,

*one watch of the value of
five dollars and one
chain of the value of two
dollars*

of the goods, chattels and personal property of one

in the dwelling house of the said

Henry Jung
Henry Jung
there situate, then and there being found, from the dwelling house aforesaid, then and there felon-
iously did steal, take and carry away, against the form of the statute in such case made and provided,
and against the peace of the People of the State of New York and their dignity.

DeLancey Nicoll,
District Attorney.

0982

BOX:

502

FOLDER:

4580

DESCRIPTION:

Monahan, Joseph

DATE:

11/23/92



4580

Witnesses:

Off. Perrell 27th

266

Counsel,

Filed, *23rd* day of *Nov* 189*2*

Pleads, *Alfred 27*

THE PEOPLE

vs.

B

Joseph M. Mowbray

May 8/93

*Witnesses for the People
at Court for the People*

VIOLATION OF THE EXCISE LAW.
Selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 39.]

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

John E. Perrell

Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Joseph Monahan

The Grand Jury of the City and County of New York, by this indictment, accuse
of the CRIME OF *Joseph Monahan* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND
BEER ON SUNDAY, committed as follows:

The said

Joseph Monahan

late of the City of New York, in the County of New York aforesaid, on the *23rd*
day of *October* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against
the form of the statute in such case made and provided, and against the peace of the People of
New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

Joseph Monahan
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,
WINES, ALE AND BEER, committed as follows:

The said

Joseph Monahan

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of
a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and
expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the
form of the statute in such case made and provided, and against the peace of the People of the State
of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0985

BOX:

502

FOLDER:

4580

DESCRIPTION:

Mongillo, Antonio

DATE:

11/23/92



4580

Witnesses:

James Lappala
Off. McAndrews 6th

Evidence being
same as in case
of Michael Altomio
and being wholly
insufficient to war-
rant a conviction
Indict. dis.
Dec 7, 1912 B.B.M.

Counsel.

Filed, Dec 3rd day of Dec 1893
Pleds, *Indict. is*

THE PEOPLE

vs.

Antonio Mongello

RECEIVING STOLEN GOODS.
(Section 550, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

Dec. 4th 1892, V. M. & B. P. C.

A TRUE BILL.

John E. Fournier
Dec 7/92 Foreman.
Disfranchised on, has
no money

0986

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Antonio Mongillo

The Grand Jury of the City and County of New York, by this indictment accuse

Antonio Mongillo

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

Antonio Mongillo

late of the City of New York, in the County of New York aforesaid, on the *14th* day of *November* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

*one box of cigars of the value
of one dollar and fifty cents*

of the goods, chattels and personal property of one

Girondo Anselino, by *one John Brown, Nicholas Vaulin and James Lippio* and

by *certain other* persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *Girondo Anselino*

unlawfully and unjustly did feloniously receive and have; the said

Antonio Mongillo

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away; against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0988

BOX:

502

FOLDER:

4581

DESCRIPTION:

Monroe, James

DATE:

11/29/92



4581

Witnesses:

Gavinia R Christie
John Polhemus

Counsel,

Filed

day of

1892

Pleads,

THE PEOPLE

vs.

James Monroe

Grand Larceny, Second Degree.
[Sections 529, 531, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Follens

Foreman.

John E. Follens
Benjamin

Benjamin

0989

Police Court—.....District.

1912

Affidavit—Larceny.

City and County } ss.
of New York, }

City and County } ss.
of New York,
of No. 227 Madison St. Gamelia R Christie
Street, aged 52 years.

deposes and says, that on the 20 day of Nov 1897 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in day time, the following property, viz:

Child's & Small Harness
of the Value of about thirty five
dollars

The property of.

..... and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by James Smith of the County of Jefferson State of Missouri.

from the fact that defendant is informed
as an extra driver that he saw the
defendant coming out of defendant's
store to 350 Washington Street
with a bag and defendant admitted
and confessed to Officer Harries
Barrett a Police Officer of the 1st Precinct
Police that he had stolen said harness
and sold the same for four dollars and
fifty cents

Amos C. R. Christie

General R. Christie

Sworn to before me, this
of

 \dot{q}_{am}

Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

Maurice Hartnett
aged 29 years, occupation Police Officer of No.

The French Police Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Samia & Christie

and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 29 day of Nov, 1897 Maurice Hartnett

A. J. White
Police Justice.

0992

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

James Monroe being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to a charge against him that the statement is designed to enable him if he see fit, to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *James Monroe*

Question. How old are you?

Answer. *36 years*

Question. Where were you born?

Answer. *Florida*

Question. Where do you live, and how long have you resided there?

Answer. *135 West 87th St. N.Y.C.*

Question. What is your business or profession?

Answer. *Lawyer*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer. *I am guilty*

James Monroe

Taken before me this
day of *April* 188*2*
John J. [Signature]
Police Justice.

0993

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named _____

_____ guilty thereof. I order that he be held to answer the same, and he be admitted to bail in the sum of _____ Hundred Dollars, _____ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, _____ 189 _____ Police Justice.

I have admitted the above-named _____ to bail to answer by the undertaking hereto annexed.

Dated, _____ 189 _____ Police Justice.

There being no sufficient cause to believe the within named _____ guilty of the offense within mentioned, I order he to be discharged.

Dated, _____ 189 _____ Police Justice.

099

1466

Police Court---2---District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Amelia Holmsted
581 Washington
James Monroe

BAILED,

No. 1, by.....

Residence Street.

No. 2, by.....

Residence Street.

No. 3, by.....

Residence Street.

No. 4, by.....

Residence Street.

2

3

4

Dated,

Sept 27
1892

189

Magistrate.

Samuel Hartnett Officer.

Precinct.

Witnesses

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

Wm. J. True
581 Washington Street.

John O. Lemus
11 Thirteenth Street.

Edw. J. True
11 Thirteenth Street.

Samuel J. True
11 Thirteenth Street.

Edw. J. True
11 Thirteenth Street.

Edw. J. True
11 Thirteenth Street.

Edw. J. True
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Edw. J. True
11 Thirteenth Street.

Edw. J. True
11 Thirteenth Street.

Edw. J. True
11 Thirteenth Street.

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

James Monroe

The Grand Jury of the City and County of New York, by this indictment, accuse

James Monroe
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said

James Monroe

late of the City of New York, in the County of New York aforesaid, on the *56th*
day of *November* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms,

*one set of harness of the
value of thirty-five dol-
lars*

of the goods, chattels and personal property of one *Samuel R. Christie*

then and there being found, then and there feloniously did steal, take and carry away, against
the form of the statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

De Lancey McCall
District Attorney